



1992

Illinois Register

Rules of Governmental Agencies

Volume 16, Issue 14 — April 3, 1992

Pages 5097-5390

Administrative Code Div.
288 Centennial Bldg.
Springfield, IL 62756
(217) 782-9786

published by
George H. Ryan
Secretary of State



Printed on recycled paper

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INTRODUCTION

The Illinois Register is the official state document for publishing public notice of rulemaking activity by State governmental agencies. The table of contents is arranged categorically by rulemaking activity and alphabetically by agency within each category. Rulemaking activity consists of proposed or adopted new rules or amendments to or repealers of existing rules, including those by emergency or peremptory action.

The *Register* also contains Executive Orders and Proclamations issued by the Governor, notices of public information required by State statute, and activities (meeting agendas, Statements of Objection or Recommendation, etc.) of the Joint Committee on Administrative Rules (JCAR), a legislative oversight committee which monitors the rulemaking activities of State agencies. In addition, the *Register* contains a Cumulative Index listing alphabetically by agency the Parts (sets of rules) on which rulemaking activity has occurred in the current *Register* volume and a Sections Affected Index listing, by Title of the *Illinois Administrative Code*, each Section (including supplementary material) of a Part on which rulemaking activity has occurred in the current volume. Both indices are action coded and are designed to aid the public in monitoring rules.

The *Register* will serve as the update to the *Illinois Administrative Code*, a compilation of the rules of State agencies. The most recent edition of the *Code* along with the *Register* comprise the most current accounting of the State agencies' rules.

The *Illinois Register* is the property of the State of Illinois, granted by the authority of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, pars. 1001 et seq., as amended).

REGISTER PUBLICATION SCHEDULE 1992

Material Rec'd after 4:30 p.m. on:	And before 4:30 p.m. on:	Will be in Issue #:	Published on:	Material Rec'd after 4:30 p.m. on:	And before 4:30 p.m. on:	Will be in Issue #:	Published on:
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Please note: When the Register deadline falls on a State holiday, the deadline becomes 4:30 p.m. on Monday (the day before).

DEPARTMENT OF AGRICULTURE

NOTICE OF PROPOSED RULES

1) Heading of Part: Americans With Disabilities Act Grievance Procedure

2) Code Citation: 4 Ill. Adm. Code 550

3) Section Numbers: Proposed Action:

550.10	New Section
550.20	New Section
550.30	New Section
550.40	New Section
550.50	New Section
550.60	New Section
550.70	New Section

4) Statutory Authority: Implementing Title II, Subtitle A of the Americans With Disabilities Act of 1990 (42 U.S.C. 12102, 12131-12134 (1991)), as specified in Title II regulations (28 CFR 35.107 (1991)), and authorized by Sections 5-5 and 5-20 of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1989, ch. 127, pars. 1005-5 and 1005-20, as amended by P.A. 87-823, effective July 1, 1992) and Section 16 of The Civil Administrative Code of Illinois (Ill. Rev. Stat. 1989, ch. 127, par. 16).

5) A Complete Description of the Subjects and Issues Involved:

This rulemaking establishes a procedure whereby qualified persons with disabilities may resolve allegations of denial or discrimination of public services on the basis of their disabilities as required by the Americans With Disabilities Act of 1990.

6) Will this proposed rule replace an emergency rule currently in effect?: No

7) Does this rulemaking contain an automatic repeal date? No

8) Do these proposed rules contain incorporations by reference? No

9) Are there any other amendments pending on this Part? No

10) Statement of Statewide Policy Objectives: These rules do not affect units of local governments.

11) Time, Place and Manner in which interested persons can comment on this proposed rulemaking: Interested persons may submit written comments within 45 days of the date of publication of this notice in the Illinois Register to:

DEPARTMENT OF AGRICULTURE

NOTICE OF PROPOSED RULES

Judith Lozier, General Counsel
Department of Agriculture
P.O. Box 19281
Springfield, Illinois 62794-9281

12) Initial Regulatory Flexibility Analysis:

A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: March 19, 1992

B) Types of small businesses affected: Qualified individuals with disabilities may file a grievance with the Department of Agriculture when he or she has been excluded from participation in, or denied the benefits of, any program, service, or activity of the Department or has been subject to discrimination by the Department on the basis of the disability.

The grievance procedure set forth in this Part will not be applied to small businesses, which are licensed and regulated by the Department of Agriculture, and, therefore, will not affect small businesses.

C) Reporting, bookkeeping or other procedures required for compliance: Small businesses will not be required to undertake any reporting or bookkeeping activities pursuant to this Part. A qualified individual with a disability may file a grievance form with the Department in accordance with the procedures set forth in this Part.

D) Types of professional skills necessary for compliance: No professional skills are required of small businesses pursuant to this Part.

The full text of the Proposed Rules begins on the next page:

DEPARTMENT OF AGRICULTURE

NOTICE OF PROPOSED RULES

(Telephone: 217/782-2172)

"Director" means the Director of the Illinois Department of Agriculture or his or her duly authorized representative.

"Disability" means, with respect to an individual, a physical or mental impairment that substantially limits one or more of the major life activities of such individual; a record of such impairment; or being regarded as having such an impairment" (Section 12101 of the ADA (42 U.S.C. (1991)).

"Grievance" means any formal, written complaint under the ADA by an individual with a disability who:

- 1) meets the essential eligibility requirements for participation in or receipt of the benefits of a program, activity, or service offered by the Department; and
- 2) believes he or she has been excluded from participation in, or denied the benefits of, any program, service, or activity of the Department or has been subject to discrimination by the Department on the basis of his or her disability.

"Qualified individual with a disability" means an individual with a disability who, with or without reasonable modifications to rules, policies, or practices, the removal of architectural, communication, or transportation barriers, or the provision of auxiliary aids and services, meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by the Department" (Section 12131 of the ADA (42 U.S.C. (1991)).

"Working days" means Monday through Friday, excluding State holidays.

Section 550.20 Purpose

- a) This ADA Grievance Procedure ("Procedure") is established pursuant to the Americans With Disabilities Act of 1990 (42 U.S.C. 12131-12134 (1991)), and specifically Section 35.107 of the Title II regulations (28 CFR 35.107 (1991)) requiring that a grievance procedure be established to resolve grievances asserted by qualified individuals with disabilities. Should any individual desire to review the ADA or its regulations to understand the rights, privileges and remedies afforded by it, please contact the Designated Coordinator.

DEPARTMENT OF AGRICULTURE

NOTICE OF PROPOSED RULES

TITLE 4: GRIEVANCE PROCEDURES

CHAPTER XIX: DEPARTMENT OF AGRICULTURE

PART 550

AMERICANS WITH DISABILITIES ACT GRIEVANCE PROCEDURE

Section

- 550.10 Definitions
- 550.20 Purpose
- 550.30 Procedure
- 550.40 Designated Coordinator Level
- 550.50 Final Level
- 550.60 Accessibility
- 550.70 Case-by-Case Resolution

AUTHORITY: Implementing Title II, Subtitle A of the Americans With Disabilities Act of 1990 (42 U.S.C. 12102, 12131-12134 (1991)), as specified in Title II regulations (28 CFR 35.107 (1991)), and authorized by Sections 5-5 and 5-20 of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1989, ch. 127, pars. 1005-5 and 1005-20, as amended by P.A. 87-823, effective July 1, 1992) and Section 16 of The Civil Administrative Code of Illinois (Ill. Rev. Stat. 1989, ch. 127, par. 16).

SOURCE: Adopted at 16 Ill. Reg. _____, effective _____.

Section 550.10 Definitions

"ADA" means the Americans With Disabilities Act of 1990 (42 U.S.C. 12101 et seq. (1991)).

"Complainant" means an individual with a disability who files a grievance form provided by the Department in accordance with this Part.

"Department" means the Illinois Department of Agriculture.

"Designated Coordinator" means the person appointed by the Director to coordinate the Department's efforts to comply with and carry out its responsibilities under Title II of the ADA, including the investigation of grievances filed by complainants. Grievances under the ADA shall be submitted to:

Americans With Disabilities Act Coordinator
Department of Agriculture
State Fairgrounds, P.O. Box 19281
Springfield, Illinois 62794-9281

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- b) In general, the ADA requires that each program, service, and activity offered by the Department, when viewed in its entirety, be readily accessible to and usable by qualified individuals with disabilities.
- c) It is the intent of the Department to foster open communication with all individuals requesting ready access to programs, services, and activities. The Department encourages supervisors of programs, services, and activities to respond to requests for modifications before they become grievances.

Section 550.30 Procedure

- a) Grievances shall be submitted in accordance with the procedures established in Sections 550.40 and 550.50 of this Part, in the form and manner described, and within specified time limits. Time limits established in this procedure are in calendar days, unless otherwise stated, and may be extended by mutual agreement in writing by the complainant and the reviewer at the Designated Coordinator and Final Levels.

- b) A complainant's failure to submit a grievance, or to submit or appeal it to the next level of procedure, within the specified time limits shall mean that the complainant has withdrawn the grievance or has accepted the last response given in the grievance procedure as the Department's final response.

- c) The Department shall, upon being informed of an individual's desire to file a formal grievance, instruct the individual how to receive a copy of this procedure and the grievance form.

Section 550.40 Designated Coordinator Level

- a) If an individual desires to file a formal written grievance, the individual shall promptly, but no later than 180 days after the alleged discrimination, submit the grievance to the Designated Coordinator in writing on the grievance form prescribed for that purpose. The grievance form shall be completed in full in order to receive proper consideration by the Designated Coordinator, and shall include:

- 1) the complainant's name, address and telephone number;
- 2) the best means and time for contacting the

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complainant;

- 3) the program, activity or service which was denied the complainant or in which alleged discrimination occurred;
 - 4) the date and nature of the alleged denial or discrimination; and
 - 5) the signature of the complainant.
- b) Upon request, assistance shall be provided by the Department to complete the grievance form.
 - c) The Designated Coordinator shall investigate the grievance and shall make reasonable efforts to resolve it. The Designated Coordinator shall provide a written response to the complainant and to the Director within 15 working days after receipt of the grievance form.

Section 550.50 Final Level

- a) If the grievance is not resolved to the satisfaction of the complainant at the Designated Coordinator Level, the complainant may submit a copy of the grievance form and Designated Coordinator's response to the Director of the Department for final review. The complainant shall submit these documents to the Director together with a short written statement explaining the reason(s) for dissatisfaction with the Designated Coordinator's written response, within 15 working days after receipt by the complainant of the Designated Coordinator's response.

- b) The complainant shall be afforded an opportunity to appear before the Director. The complainant shall have a right to appoint a representative to appear on his or her behalf. The Director shall review the Designated Coordinator's written response and may conduct interviews and seek advice as the Director deems appropriate.

- c) The Director shall approve, disapprove or modify the recommendation of the Designated Coordinator, shall render a decision thereon in writing within 30 working days, shall state the basis therefor, and shall cause a copy of the decision to be served on the parties. The Director's decision shall be final. If the Director disapproves or modifies the Designated Coordinator's recommendations, the Director shall include written reasons for such disapproval or modification.

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- d) The grievance form, the Designated Coordinator's response, the statement of reasons for dissatisfaction, and the decision of the Director shall be maintained in accordance with the State Records Act (Ill. Rev. Stat. 1989, ch. 116, par. 43.4 et seq.) or as otherwise required by law.

Section 550.60 Accessibility

The Department shall ensure that all stages of the grievance procedure are readily accessible to and usable by individuals with disabilities.

Section 550.70 Case-by-Case Resolution

Each grievance involves a unique set of factors which include, but are not limited to, the specific nature of the disability; the essential eligibility requirements; the benefits to be derived, and the nature of the service, program or activity at issue; the health and safety of others; and, whether or not an accommodation would constitute a fundamental alteration to the program, service or activity or undue hardship on the Department. Accordingly, termination of a grievance at any level, whether through the granting of relief or otherwise, shall not constitute a precedent on which any other complainants should reply.

ILLINOIS REGISTER

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of Part: Subacute Alcoholism and Substance Abuse Treatment Services

- 2) Code Citation: 77 Ill. Adm. Code 2090

- 3) Section Numbers:

2090.20	Amended
2090.40	Amended
2090.70	Amended
2090.90	Amended
2090.100	Amended

- 4) Statutory Authority: Ill. Rev. Stat. 1989, Ch. 111, para. 6354-1.

- 5) A Complete Description of the Subjects and Issues Involved:

The rule is being amended to expand Medicaid coverage available for substance abuse ancillary methadone services; to clarify reimbursement for 16 bed and under facilities; and to reinstate specific standards for Qualified Treatment Professionals. Other portions of recent amendments are being clarified.

- 6) Will the proposed rule replace an emergency rule currently in effect? No.

- 7) Does this rulemaking contain an automatic repeal date? No.

- 8) Does this rulemaking contain incorporations by reference? No.

- 9) Are there any other amendments pending on this Part? No.

- 10) Statement of Statewide Policy Objectives: A Statement of Statewide Policy Objectives is not necessary.

- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking:

Interested persons should address their written comments concerning these rules within thirty (30) days to:

Nancy J. Bennett, General Counsel
 Department of Alcoholism and Substance Abuse
 State of Illinois Center
 100 W. Randolph Street, Suite 5-600
 Chicago, IL 60601

ILLINOIS REGISTER

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF PROPOSED AMENDMENTS

12) Initial Regulatory Flexibility Analysis:

Date rule was submitted to the Small Business Office of the Department of Commerce and Community Affairs: March 23, 1992

Types of small businesses affected:

For profit and not-for-profit individuals, corporations, or other entities that perform Medicaid reimbursable substance abuse treatment services.

Reporting, bookkeeping or other procedures required for compliance: No new reporting requirements are required except as specific to billing for services not formerly reimbursable.

Types of professional skills necessary for compliance: No new or additional professional skills are necessary.

The full text of the Proposed Rule begins on the following page of this issue of the Illinois Register:

ILLINOIS REGISTER

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF PROPOSED AMENDMENTS

TITLE 77: PUBLIC HEALTH

CHAPTER X: DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE
SUBCHAPTER g: MEDICAID PROGRAM STANDARDS

PART 2090

SUBACUTE ALCOHOLISM AND SUBSTANCE ABUSE TREATMENT SERVICES

Section	Definitions
2090.20	Treatment Services
2090.40	Rate Setting
2090.70	Application and Certification Process
2090.90	Recertification and Inspection
2090.100	

AUTHORITY: Implementing and authorized by Section 4-101 of the Alcoholism and Other Drug Dependency Act (Ill. Rev. Stat. 1989, ch. 111 1/2, par. 6354-1).

SOURCE: Adopted at 11 Ill. Reg. 2236, effective January 14, 1987; emergency amendments at 12 Ill. Reg. 11273, effective June 30, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 20061, effective November 26, 1988; emergency amendment at 15 Ill. Reg. 10222, effective June 25, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 16662, effective November 1, 1991; amended at 11 Ill. Reg. _____, effective _____.

Section 2090.20 Definitions

The following definitions shall apply to this Part:

"Clinical Supervision": The review of treatment cases and the use of other supervisory techniques for the purposes of assuring that a client's clinical needs are met.

"Department": the Illinois Department of Alcoholism and Substance Abuse.

"Follow-up": Routine scheduled or unscheduled provider contact with a former client that occurs after the client has been discharged, has been previously specified in the client's treatment and discharge plan, and occurs for a period of time and at least at specified intervals. Follow-up is for the purpose of offering the individual continuing assistance as necessary to maintain and improve upon the clinical goals achieved during treatment.

"Individualized Treatment Plan": The written plan which identifies the care and treatment to be provided to the client based upon documented assessment of his/her individual problems and needs as well as strengths and resources.

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

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"physician": A person who is licensed to practice medicine in all its branches under the Medical Practice Act of 1987 (Ill. Rev. Stat. 1989, ch. 111, par. 4400-1 et seq.).

"provider": Any public or private agency, organization, or institution, or unit of state or local government or other legal entity licensed to deliver alcoholism or other drug abuse services according to the requirements specified in Section 2090.30 and enrolled to provide treatment services under the Illinois Medical Assistance Program.

"psychiatrist": A person licensed to practice medicine in all its branches under the Medical Practice Act of 1987 (Ill. Rev. Stat. 1989, ch. 111, par. 4400-1 et seq.) and who meets the requirements of Section 1-121 of the Mental Health and Developmental Disabilities Code (Ill. Rev. Stat. 1989, ch. 91 1/2, par. 1-121).

"Qualified Alcoholism and Other Drug Treatment Professional": In the case of a licensee under the licensure of Alcoholism and Substance Abuse treatment, intervention and research programs, a person determined to be a professional staff appropriate to deliver the clinical services provided, pursuant to the provider's plan for professional services as set forth in 77-iii--Adm--Code-2058-386; A person who has a minimum of 2000 hours of paid formal work experience in the field of alcoholism/substance and/or other drug abuse under clinical supervision including at least 1500 documented hours of direct client service and at least 40 clock hours of formal training in the field of alcoholism/substance and/or other drug abuse. The supervised and documented direct client service hours shall include the following alcoholism/substance and/or other drug abuse client services and treatment activities: screening; assessment and evaluation; treatment planning; intervention; referral activities; client education; case management and consultation; clinical recordkeeping; and recovery support. Direct treatment activities shall include clinically supervised experience working with individuals, groups, and families. A qualified alcoholism and other drug treatment professional may also be (1) a physician licensed to practice medicine in all its branches pursuant to the Medical Practice Act of 1987; (2) a person registered as a psychologist pursuant to the Clinical Psychology Practice Act (Ill. Rev. Stat. 1989, ch. 111, par. 5351); (3) a person licensed as a social worker or licensed clinical social worker pursuant to the Clinical Social Work and Social Work Practice Act (Ill. Rev. Stat. 1989, ch. 111, par. 6351); (4) or a person holding a master's or higher level degree in counseling; or (5) a person certified by the Illinois Alcoholism and Other Drug Abuse Professional Counselors

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

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Association (IADAPCA) as a "counselor," "reciprocal," "supervisor" or "master". In a detoxification service, a qualified treatment professional may also be a person licensed as a registered nurse pursuant to Section 3(k) of the Illinois Nursing Act of 1987 (Ill. Rev. Stat. 1989, ch. 111, par. 3503(k)); a licensed practical nurse pursuant to Section 3(i) of the Illinois Nursing Act of 1987 (Ill. Rev. Stat. 1989, ch. 111 1/2, par. 3503(i)); or a person certified as an emergency medical technician pursuant to Section 4.12 of the Emergency Medical Services (EMS) Systems Act (Ill. Rev. Stat. 1989, ch. 111 1/2, par. 5504.12); who has completed at least 40 clock hours of formal training in the field of alcoholism or other drug abuse. In the case of a licensee under the Hospital Licensing Requirements rules, a person determined to be appropriate to deliver the clinical services provided, pursuant to by-laws, rules and regulations approved by the hospital governing Board under 77 Ill. Adm. Code 250, Subpart C regarding "medical staff" and Section 250.2850 regarding "medical and professional staff."

"Qualified Alcoholism and Other Drug Treatment Supervisor": A person who in addition to meeting the requirements for a qualified alcoholism and other drug treatment professional, has at least an additional 4,000 hours paid work experience in the field of alcoholism/substance and/or other drug abuse and has at least 10 clock hours in formal training in the philosophy and techniques of supervision.

"Recommended by a Physician": The physician formulation of, approval of, or involvement in each client's treatment plan within 14 (calendar) days from the date of initial services. The physician shall establish a diagnosis which, to be reimbursed as a Medicaid service under this Section, must be a diagnosis of alcoholism and/or other drug abuse. Evidence of the physician's supervision must be documented by the physician's signed and dated approval of the treatment plan or signed and dated notation indicating concurrence with the plan of treatment in the client's record. The physician must provide a handwritten signature. The provider shall not use a signature stamp. This must recur: whenever there is a significant change in the treatment plan (i.e. a change in service category, problem identification, or focus of treatment); or at least once within every 90 days, whichever comes first.

"Subacute": The level of care necessary to effectively treat an alcohol and/or other drug abuser's dependency on a chemical, without the more intensive measures designed to treat primary medical conditions in an acute care setting (e.g. inpatient hospitalization). Subacute care may be delivered in a facility licensed under the rules for Licensure of Alcoholism and Substance Abuse

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NOTICE OF PROPOSED AMENDMENTS

Treatment, Intervention and Research Programs (77 Ill. Adm. Code 2058) or in a Hospital, either of which is certified according to Section 2090.90 for purposes of Medicaid reimbursed alcoholism and/or other drug abuse services.

"Treatment Protocol": Written policies and procedures which describe the client services delivered by the provider. These policies and procedures must be approved and signed by a physician.

"Under age 21" means one who is admitted to treatment services prior to his/her 21st birthday up until he/she no longer requires services or reaches the age of 22, whichever comes first.

"Under the direction of a physician" means treatment services done under the direct supervision of a physician who is on staff and continuously directing the provision of care.

(Source: Amended at _____ Ill. Reg. _____, effective _____.)

Section 2090.40 Treatment Services

a) Outpatient Services

1) The provision of face-to-face diagnostic and individual, group, or family treatment on a scheduled or unscheduled basis to an individual who in the clinical judgment of a qualified alcoholism and other drug treatment professional is experiencing a problem with alcohol or other drugs (e.g. family, social, financial, employment, educational, and/or legal). Services are delivered in a Medicaid enrolled nonresidential subacute setting. However, outpatient services may be provided in a recipient's place of residence or other off-site location when required because of illness, disability, infirmity, or problems of accessing care at the certified site, as documented in the recipient's individualized treatment plan. This service is designed to reduce or eliminate an individual's intake of alcohol and/or other drugs.

2) Scope

Outpatient treatment services must be delivered in accordance with an individualized treatment plan recommended by a physician. Services shall include, but are not limited to assessment, diagnosis and subsequent individual, group, or family counseling, case coordination, aftercare, and follow-up.

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3) Admission Criteria

To be admitted for outpatient treatment, an individual must be experiencing problems as a result of using alcohol or other drugs and, in the clinical judgment of a qualified treatment professional, must not be actively experiencing psychotic manifestations, or other severe mental or physical illness, which require immediate acute medical or psychiatric care. In addition, the individual must not be intoxicated, incapacitated due to the effects of alcohol or other substances, or in withdrawal. An individual's physical and emotional condition must allow them to function in their usual non-residential setting.

4) Staffing Qualifications

Outpatient services must be delivered by qualified alcoholism and other drug treatment professionals.

5) Reimbursement

Outpatient treatment services delivered to Aid to the Aged, Blind, and Disabled (AABD), Aid to Families with Dependent Children (AFDC), Medical Assistance, No Grant (MANG), Refugee Repatriate Program (RRP) recipients, Title XIX eligible persons under the age of eighteen who would qualify for AFDC but do not qualify as dependent children pursuant to 89 Ill. Adm. Code 140.7, are Medicaid-reimbursable via the prospective rates in effect as of the date of service (89 Ill. Adm. Code 148.370). Medicaid claims are submitted to Illinois Department of Public Aid (IDPA), and shall meet the requirements of IDPA rules pursuant to 89 Ill. Adm. Code 148.340-148.370 for alcoholism and substance abuse treatment providers. The billable outpatient unit of service is a client hour defined as face-to-face counseling with a diagnosed client in an individual, group, or family setting. Reimbursement shall occur by a fee-for-service mechanism, using one client hour as the base unit of service, billable to the nearest quarter-hour. No more than two client hours shall be reimbursed for any client during a 24-hour period, except that the maximum number of hours may be extended by the provider to three during a 24 hour period on an individual basis when circumstances exist which limit accessibility to treatment services. These circumstances, such as significant travel distances, must be documented in the individualized treatment plan. In instances where the provider has extended the

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client hours beyond two per 24 hour period, no more than two of those client hours may be reimbursed for group treatment.

b) Intensive Outpatient Treatment

1) Definition

The provision of diagnostic services and individual or group treatment on a scheduled-only outpatient basis in a Medicaid enrolled subacute setting. This service is designed to reduce or eliminate, through a controlled milieu, an individual's intake of alcohol and/or other substances.

2) Scope

Intensive outpatient treatment services must be delivered in accordance with an individualized treatment plan recommended by a physician. Services shall include, but are not limited to assessment, evaluation, diagnosis, and subsequent individualized, group, or family counseling, education, case coordination, aftercare and follow-up. Intensive outpatient treatment is a structured program offered a minimum of four days or evenings per week and a minimum of 15 hours of treatment activities by professional staff per client per week, or in the case of adolescent intensive outpatient treatment, a minimum of 3 days or evenings per week and 9 hours of treatment activities per client per week.

3) Admission Criteria

Individuals admitted to intensive outpatient treatment must, in the clinical judgment of a qualified alcoholism and other drug treatment professional, be experiencing problems related to their addictive or abusive use of alcohol and/or other drugs which requires a level of care exceeding that available in outpatient treatment. Individuals experiencing active psychotic manifestations, or other severe mental or physical illness which requires immediate acute medical or psychiatric care, should not be admitted to intensive outpatient treatment. In addition, the individual shall not be intoxicated, incapacitated due to the effects of alcohol or other drugs, or in withdrawal.

45) Reimbursement

Intensive outpatient treatment services provided to AADC, AFDC, MANG, and RRP recipients, Title XIX eligible DCFS wards,

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and persons under the age of eighteen who would qualify for AFDC but do not qualify as dependent children pursuant to 89 Ill. Adm. Code 140.7, are Medicaid reimbursable via the prospective rates in effect as of the date of service (89 Ill. Adm. Code 148.370). Medicaid claims are submitted to IDPA, and shall meet the requirements of IDPA rules pursuant to 89 Ill. Adm. Code 148.340-148.370 for alcoholism and substance abuse treatment providers. Reimbursement shall occur by a fee-for-service mechanism, using one client session of a minimum of three hours as the base unit of service. No more than one client session shall be reimbursed per 24 hour period. Services for clients enrolled in intensive outpatient treatment shall not be reimbursed under the provisions for outpatient services.

c) Residential Rehabilitation

1) Definition

The provision of diagnostic services and individual or group treatment on a scheduled-only residential basis in a Medicaid enrolled hospital subacute setting; or to individuals under age 21 in a psychiatric facility or an inpatient program in a psychiatric facility, either of which is accredited by the Joint Commission on Accreditation of Health Care Organizations (JCAHO), 875 North Michigan Avenue, Chicago, Illinois. This service is designed to reduce or eliminate, through a controlled milieu, an individual's intake of alcohol and/or other drugs.

2) Scope

Residential rehabilitation must be delivered in accordance with an individualized treatment plan recommended by a physician if in a hospital setting, and under the direction of a physician if in a psychiatric facility. Services must include, but are not limited to assessment, evaluation, diagnosis, and subsequent individual, group, or family counseling, education, case coordination, aftercare and follow-up. Residential rehabilitation is a structured residential program offered seven days per week and includes a minimum of 25 hours of treatment activities per client per week.

3) Admission Criteria

Individuals admitted to residential rehabilitation must, in

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the clinical judgment of a qualified alcoholism and other drug treatment professional, be experiencing problems related to their addictive or abusive use of alcohol and other drugs which requires a level of care exceeding that available in outpatient and intensive outpatient treatment. Individuals experiencing active psychotic manifestations, or other severe mental or physical illness which requires immediate acute medical or psychiatric care, should not be admitted to residential rehabilitation. In addition, the individual shall not be intoxicated, incapacitated due to the effects of alcohol or other drugs, or in withdrawal.

4) Reimbursement

Residential rehabilitation services provided to AABD, AFDC, MANG, and RRP recipients, Title XIX eligible DCFS wards, and persons under the age of eighteen who would qualify for AFDC but do not qualify as dependent children pursuant to 89 Ill. Adm. Code 140.7, are Medicaid reimbursable via the prospective rates in effect as of the date of service (89 Ill. Adm. Code 148.370). Medicaid claims are submitted to IDPA, and shall meet the requirements of IDPA rules pursuant to 89 Ill. Adm. Code 148.340-148.370 for alcoholism and substance abuse treatment providers. Reimbursement shall occur on a per diem basis. Services for clients enrolled in a residential rehabilitation program with over 16 beds shall not be reimbursed under the provisions for outpatient, intensive outpatient or detoxification services.

d) Detoxification

1) Definition

The provision of immediate physiological stabilization and diagnostic and short term treatment on a non-scheduled basis to an individual who is intoxicated or experiencing withdrawal from the ingestion of alcohol and/or other drugs, and whose physical and emotional condition does not require the intensity of an acute care setting, but does require intensive monitoring and observation. Detoxification is care provided in a Medicaid enrolled hospital subacute setting; or to individuals under age 21 by a Medicaid enrolled psychiatric facility or an inpatient program in a psychiatric facility, either of which is accredited by JCAHO, to an individual whose physical and emotional condition requires ongoing monitoring and observation, as well as more intensive assessment and treatment counseling, and is intended to lead to further

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treatment as necessary. This service is provided in a highly controlled and supportive residential subacute environment.

2) Scope

Detoxification services shall be provided in accordance with a treatment protocol approved and signed by a physician if in a hospital, and under the direction of a physician if in a psychiatric facility. Services shall include but are not limited to assessment, evaluation, diagnosis, determination of need for more specialized medical care, rest under close observation, individual counseling, case coordination and subsequent referral, room and board, meals, and supervision by staff.

3) Admission Criteria

To be admitted for detoxification, an individual must be intoxicated or incapacitated by alcohol and/or other drugs, and/or must be experiencing alcohol and/or other drug withdrawal. However, an individual must not be comatose and must not be actively experiencing psychotic manifestations or other severe mental or physical illness which requires immediate acute medical or psychiatric care.

4) Staffing Qualifications

At least two staff members who are qualified alcoholism and other drug treatment professionals, are to be on duty at all times.

5) Reimbursement

Detoxification services provided to AABD, AFDC, MANG, and RRP recipients, Title XIX eligible DCFS wards, and persons under the age of eighteen who would qualify for AFDC but do not qualify as dependent children pursuant to 89 Ill. Adm. Code 140.7 are Medicaid-reimbursable via prospective rates in effect as of the date of service (89 Ill. Adm. Code 148.370). Medicaid claims are submitted to IDPA and shall meet the requirements of IDPA rules pursuant to 89 Ill. Adm. Code 148.340-148.370 for alcoholism and substance abuse treatment providers. Reimbursement for detoxification services shall occur on a per diem basis. However, admissions less than 12 hours in length shall be reimbursed at a per episode rate. No more than one client episode shall be reimbursed per 24 hour period.

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e)

Day Treatment Services1) Definition

The provision of treatment services as defined in subsection (c)(1) above, except that the services shall be provided by a program licensed pursuant to 77 Ill. Adm. Code 2058.372-376 and certified hereunder as having 16 beds or less.

2) Scope

The scope of services is the same as set forth in subsection (c)(2) excluding room and board, meals, night supervision of dormitory areas and other domiciliary support services.

3) Admission Criteria

Admission criteria shall be the same as those set forth in subsection (c)(3) above.

4) Reimbursement

Day treatment services shall be reimbursed at an all-inclusive per diem rate as set forth in Section 2090.70(c)(5).

f)

Day Detoxification Services1) Definition

The provision of detoxification services as defined in subsection(d)(1) above, except that the services shall be provided by a program licensed pursuant to 77 Ill. Adm. Code 2058.380-384 and certified hereunder as having 16 beds or less.

2) Scope

The scope of services are the same as those set forth in subsection(d)(2) excluding room and board, meals, night supervision of dormitory areas and other domiciliary support services.

3) Admission Criteria

Admission criteria shall be the same as those set forth in subsection(d)(3) above.

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4) Staffing Qualifications

Staffing qualifications shall be the same as set forth in subsection (d)(4) above.

5) Reimbursement

Day detoxification services shall be reimbursed at an all-inclusive per diem rate as set forth in Section 2090.70(c)(6).

ge) Ancillary Psychiatric Diagnostic Services

1) Ancillary/Psychiatric diagnostic services are limited to psychiatric evaluations to determine whether the individual's primary condition is attributable to the effects of alcohol or drugs or to a diagnosed psychiatric or psychological disorder. Such an evaluation shall determine the individual's primary condition and recommend appropriate treatment services.

2) Psychiatric evaluations reimbursable through Medicaid are limited to a psychiatric evaluation/examination of a client and the exchange of information with the primary physician and other informants such as nurses, counseling staff, or family members and the preparation of a report including psychiatric history, mental status, and diagnosis. This service shall be performed by a psychiatrist.

3) Psychiatric evaluations may be delivered to individuals admitted to outpatient, residential rehabilitation, intensive outpatient, or detoxification services where the need for such services is documented in the client's individualized treatment plan. Documentation of all such services shall be maintained in the client record.

4) Ancillary diagnostic services delivered to AABD, AFDC, MANG, and RRP recipients, Title XIX eligible DCFS wards, and persons under the age of eighteen who would qualify for AFDC but do not qualify as dependent children pursuant to 89 Ill. Adm. Code 140.7, are Medicaid-reimbursable on a per-encounter basis at the prevailing rate as established by IDPA pursuant to 89 Ill. Adm. Code 140.400.

h) Ancillary Methadone Services

Ancillary Methadone Services reimbursable through Medicaid are limited to initial and ongoing face-to-face medical examinations

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which are medically necessary, methadone delivery and monitoring, and collection, processing and related toxicology testing of client urine specimens. In order to be reimbursable these services must be delivered to Medicaid recipients who are registered in an enrolled Methadone Treatment program at the time the service is delivered. Such services must be rendered in accordance with the standards established in 21 CFR 291.505 and 77 Ill. Adm. Code 2058.

- 1) Physician services must be performed by a physician who holds a current and unencumbered license to practice medicine in Illinois, who is enrolled in good standing in the Illinois Medicaid program and is an individual practitioner employed by or under contract with the participating methadone program.

A) The Initial Comprehensive Medical Examination must be done in accordance with the standards set forth in 77 Ill. Adm. Code 2058.330 and 21 CFR 291.505, and must include at least the "minimum contents of a medical evaluation" as set forth in 291.505(d)(3), such as, but not limited to: medical/narcotic use and/or abuse history, evidence of current physiologic dependence, a physical examination, determination of vital signs, required laboratory tests, examination of appearance and overall impression. Findings must be recorded in the patient's record in accordance with the standards set forth in 77 Ill. Adm. Code 2058.333, and the physician shall participate in individualized treatment planning.

B) The Ongoing Medical Examination must be done in accordance with the standards set forth in 77 Ill. Adm. Code 2058.333(d), 2058.336 and 21 CFR 291.505 (d)(3)(v)(C). It includes face-to-face, medically necessary physician examinations including, but not limited to the following: required medical supervision of the patient's methadone medication regimen; required follow-up of any physical or mental problem identified during the admission physical or arising subsequently; required reevaluation and modification of the individualized patient treatment plan, prescribing of medication and monitoring of significant changes in treatment planning; and must be documented by physician signature as involving face to face contact with the client.

C) Reimbursement for physician services shall be made on a per encounter basis, using the rates established by IDPA for such services. Initial comprehensive examination

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reimbursement is limited to once a life time per recipient, per provider. Ongoing examinations are limited to those which are medically necessary.

- 2) Delivery of Methadone includes the prescribed dispensing and required reporting, by qualified medical staff, of an observed or take home dosage or dosages of methadone to an individual identified registered client, in accordance with 77 Ill. Adm. Code 2058.324 and 2058.369. Reimbursement shall be made per encounter using a rate based on dosage cost plus a standard delivery fee agreed to between the Department and IDPA.

- 3) Toxicology testing includes the collection, packaging, preparing and processing of urine specimens and testing in accordance with 77 Ill. Adm. Code 2058.366, 21 CFR 291.505(d)(2), and other pertinent state and federal laws. To be reimbursable, toxicology testing must be done either by a laboratory that is licensed by the Illinois Department of Public Health, pursuant to the Clinical Laboratory Act (Ill. Rev. Stat. 1987, ch. 111 1/2, par. 621-101 et seq.) and the Clinical Laboratory Code, 77 Ill. Adm. Code 450, and if applicable 77 Ill. Adm. Code 2058.366, certified by the National Institute on Drug Abuse (NIDA); and/or be done by an approved drug testing machine at a facility certified pursuant to 77 Ill. Adm. Code 450 or exempt from such certification; either of which is testing done by or under contract with the certified methadone program. Reimbursement shall be determined by a cost based rate methodology, such rate to be calculated by the Department and approved by IDPA.

(Source: Amended at ___ Ill. Reg. ___, effective ____.)

Section 2090.70 Rate Setting

- a) The amount approved for payment for alcoholism and other drug abuse treatment is based on the category and amount of services required by and actually delivered to a recipient. The amount is determined in accordance with prospective rates developed by the Department and adopted by the Department of Public Aid. The adopted rule shall not exceed the charges to the general public.

- b) Rates are cost-based and are individually established annually for each service at each provider. In order that costs may be determined, each provider shall submit, upon application for certification, the provider's annual audit for the prior fiscal year and two copies of the required statistical and financial information which shall be submitted on forms specified by the Department. These

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shall be submitted in accordance with Section 2090.90 (c)(1) and (2) of this Part. Blank copies of the forms and instructions for its completion may be obtained by submitting a request in writing to:

Illinois Department of Alcoholism and Substance Abuse
Office of Purchased Care Development
222 South College, 2nd Floor
Springfield, IL 62704

- c) Rates are generated through the application of formal methodologies specific to each category.

1) Outpatient services shall be reimbursed at an all-inclusive per client hour rate payable to the nearest quarter hour. Such services are defined as face-to-face counseling with a diagnosed client. No more than two client hours shall be reimbursed for any client during a 24 hour period, except as permitted by Section 2090.40 (a)(5).

2) Intensive Outpatient services shall be reimbursed at an all-inclusive session rate; a day is defined as a minimum of three hours per 24 period. No more than one client session shall be reimbursed for any recipient during any 24 hour period.

3) Residential rehabilitation services shall be reimbursed at an all-inclusive per diem rate. No more than one client day shall be reimbursed for any recipient during any 24 hour period.

4) Detoxification services shall be reimbursed at an all-inclusive per diem rate. However, admissions less than twelve hours in length shall be reimbursed at a per episode rate.

5) Day treatment services shall be reimbursed at an all-inclusive per diem rate exclusive of costs attributable to domiciliary services as specified in Section 2090.40(e)(2). No more than one client encounter shall be reimbursed for a recipient in any 24 hour period.

6) Day detoxification services shall be reimbursed at an all-inclusive per diem rate which shall exclude costs attributable to domiciliary services as specified in Section 2090.40(f)(2). No more than one client encounter shall be reimbursed for a recipient in any 24 hour period.

75) Ancillary/psychiatric diagnostic services shall be reimbursed on a per encounter basis to psychiatrists at the

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practitioner's usual and customary charge, not to exceed the maximum established by the Department.

- 8) Ancillary Methadone services shall be reimbursed on a per service basis using methodology as set forth in each of the reimbursable categories described in Section 2090.40(f).

- 96) The provider shall not be reimbursed for more than one covered subacute alcoholism or other drug abuse service per client per day except for ancillary services which may be reimbursed in addition to one of the other covered services.

d) Hospitals

The Department shall establish rates with hospitals delivering subacute services who request such certification and are certified pursuant to this Part. Rates shall be based upon the service definitions found in Section 2090.40 (a), (b), (c) and (d) of this Part, and shall be subject to the provisions of subsections (a), (b) and (c).

(Source: Amended at Ill. Reg. _____, effective _____.)

Section 2090.90 Application and Certification Process

Each alcohol or substance abuse treatment provider who desires to enroll in the Medicaid program shall submit an application to the Department. The Department shall certify the provider when it is determined that the provider is in compliance with these program standards.

- a) Applications may be obtained by submitting a request in writing to:

Illinois Department of Alcoholism and Substance Abuse
State of Illinois Center
Quality Assurance Certification Unit
100 West Randolph Street, Suite 5-600
Chicago, Illinois 60601

- b) The Department shall forward the application materials not later than 15 calendar days after receipt of the request.

- c) The applicant shall submit to the Department a completed application form, a copy of the applicant's most recent utilization review report, and the most recent annual audit and statistical and financial data as specified below.

- 1) Applicants who receive funding from the Department shall be in

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compliance with 77 Ill. Adm. Code 2030.529;--2030.610--and 2030.640 Subparts D, G and Section 2030.710 and 2030.740.

- 2) Applicants who do not receive funding from DASA shall submit one copy of the annual audit according to the standards established in 77 Ill. Adm. Code 2030.529620 and two copies of the statistical and financial data submitted on-forms in a format required by the Department.

- d) Applications which are missing more than two components shall be returned to the applicant with a statement specifying the missing information. Completed applications may be resubmitted. Applications which are missing one or two components shall be held by the Department and the applicant notified in writing of the missing information. The applicant may submit only the missing components. The Department shall hold such incomplete applications no more than 30 calendar days.

- e) Applications which are complete shall be reviewed for compliance with the requirements of this Part.

- 1) If the application is in compliance with this Part, the Department shall conduct an on-site inspection.

- 2) If the application does not comply with the requirements of this Part, the Department shall notify the applicant in writing of the deficiencies. The applicant may correct the deficiencies and supply the new information to the Department. Should the applicant not satisfactorily respond to the deficiencies within 60 calendar days, the Department shall deny certification.

- f) The Department shall notify the applicant in writing of its determination regarding certification following completion of the on-site inspection.

- 1) If the on-site inspection confirms compliance with the requirements of this Part, the Department shall include the IDPA enrollment forms with the letter of certification. The applicant shall submit the completed enrollment forms along with a copy of the letter of certification to IDPA. The effective date of initial certification by the Department shall be the effective date when providers may deliver services to Medicaid recipients which will be reimbursed by IDPA.

- 2) If the on-site inspection does not confirm compliance with the requirements of this Part, the Department shall notify the

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applicant in writing of the deficiencies. The applicant may correct the deficiencies and supply the new information to the Department. Should the applicant not satisfactorily respond to the deficiencies within 60 calendar days, the Department shall deny certification.

- g) Where certification has been denied, the applicant may appeal the Department's decision and request a hearing pursuant to 77 Ill. Adm. Code 2000.

(Source: Amended at ___ Ill. Reg. ___, effective _____.)
Section 2090.100 Recertification and Inspection

- a) The Department shall recertify Medicaid enrolled providers annually.

- 1) Ninety (90) days prior to the anniversary date of certification the provider shall submit to the Department:

- A) A recertification application on forms specified by the Department.

- B) A statement that the provider continues to meet all requirements of this Part including the appropriate state licensure for each enrolled treatment service category. This statement shall be signed by the Authorized Program Representative of the facility.

- C) Copies of all UR reports since the date of last certification.

- 2) Providers who receive funding from the Department shall be in compliance with 77 Ill. Adm. Code 2030.529;--2030.610--and 2030.640 Subparts D, G, and Section 2030.710 and 2030.740.

- 3) Providers who do not receive funding from the Department shall submit one copy of the annual audit according to the standards established in 77 Ill. Adm. Code 2030.529 620 and two copies of statistical and financial data submitted on forms required by the Department.

- b) Inspections

- 1) The Department shall conduct inspections of providers certified under this Part to enforce compliance with provisions of this Part.

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- 2) The Department inspectors shall be granted access to all facilities and service areas, client records, and all other records under this Part.
- c) The provider shall notify the Department in writing within 30 days of any changes in policies or procedures required in this Part.

(Source: Amended at ___ Ill. Reg. ___, effective _____.)

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

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- 1) Heading of the Part: Economic Dislocation and Worker Adjustment Assistance

- 2) Code Citation: 56 Ill. Adm. Code 2625

- 3) Section Numbers: 2625.55
Proposed Action: Amendment

- 4) Statutory Authority: Implementing Sections 301(a)(1)(A) through (D), 311(b)(4), and 316(b) of the Job Training Partnership Act (P.L. 97-300, effective October 13, 1982 (29 U.S.C. 1501), as amended by P.L. 97-404, effective December 31, 1982 (42 U.S.C. 602); P.L. 99-496, effective October 16, 1986 (29 U.S.C. 1501); P.L. 99-570, effective October 27, 1986 (21 U.S.C. 801); and P.L. 100-418, effective August 23, 1988 (20 U.S.C. 5001)) and authorized by Section 46.42 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1989, ch. 127, pars. 46.10(b)).

- 5) A Complete Description of the Subjects and Issues Involved: This rulemaking incorporates changes to eligibility requirements for the Economic Dislocation and Worker Adjustment Assistance (EDWAA) Program under the Job Training Partnership Act (JTPA). Changes include: decreasing the lookback period under Section 301(a)(1)(A), (B), and (C) of the Act from five to two years; reducing the "incumbency period" required under Sections 301(a)(1)(A) and (C) of the Act from three years to one year; and the addition of industry growth information and annual job opening information as eligibility criteria under Sections 301(a)(1)(A) and (C).

- 6) Will these proposed amendments replace an emergency rule currently in effect? No.

- 7) Does this rulemaking contain an automatic repeal date? No.

- 8) Do these proposed amendments contain incorporations by reference? Yes.

- 9) Are there any proposed amendments pending on this Part? No.

- 10) Statement of Statewide Policy Objectives: This rulemaking does not create or expand a state mandate as defined in Section 3(b) of the State Mandates Act (Ill. Rev. Stat. 1989, ch. 85, par. 2203).

- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning this proposed rulemaking in writing within 45 days after this edition of the Illinois Register to the following:

Mr. Norman Sims, Deputy Director
Department of Commerce and Community Affairs

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Bureau of Policy Development, Planning & Research
620 East Adams Street, 3rd Floor
Springfield, Illinois 62701
(217) 524-4068.

12) Initial Regulatory Flexibility Analysis:

- A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: March 20, 1992.
- B) Types of small businesses and small municipalities affected: There will be no direct effect on small municipalities. Thirteen JTPA grantees are not-for-profits and are therefore considered to be small businesses in accordance with the Illinois Administrative Procedure Act.
- C) Reporting, bookkeeping or other procedures required for compliance: Eligibility requirements apply to all JTPA grantees.
- D) Types of professional skills necessary for compliance: Current JTPA grantee staff possess the skills necessary for compliance.

The full text of the Proposed Amendments begins on the next page:

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DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

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TITLE 56: LABOR AND EMPLOYMENT
CHAPTER III: DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

PART 2625
ECONOMIC DISLOCATION AND WORKER ADJUSTMENT ASSISTANCE

Section	
2625.20	Definitions
2625.25	Authorized Activities
2625.30	Allocation of Funds
2625.40	Title III Substate Area
2625.50	Designation of Substate Grantees
2625.55	Eligibility Requirements
2625.60	Performance Standards System
2625.70	Reallotment of Funds
2625.80	Incorporation by Reference

AUTHORITY: Implementing Section 46.41 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1989, ch. 127, par. 46.41) and Sections 4 and 301-317 of the Job Training Partnership Act (P.L. 97-300, effective October 13, 1982 (29 U.S.C. 1501), as amended by P.L. 97-404, effective December 31, 1982 (42 U.S.C. 602); P.L. 99-496, effective October 16, 1986 (29 U.S.C. 1501); P.L. 99-570, effective October 27, 1986 (21 U.S.C. 801); and P.L. 100-418, effective August 23, 1988 (20 U.S.C. 5001)) and authorized by Sections 46.40(b) and 46.42 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1989, ch. 127, pars. 46.40(b) and 46.42).

SOURCE: Emergency rules adopted at 13 Ill. Reg. 4019, effective March 13, 1989, for a maximum of 150 days; emergency expired August 10, 1989; adopted at 13 Ill. Reg. 13830, effective August 21, 1989; amended at 15 Ill. Reg. 10368, effective July 1, 1991; amended at 15 Ill. Reg. 13092, effective August 27, 1991; amended at 16 Ill. Reg. _____,

Section 2625.55 Eligibility Requirements

- a) To be eligible under Section 301(a)(1)(A) of the Act, applicants shall:
 - 1) have been terminated or laid off from employment or have received a notice of termination or lay-off from employment within the two (2) five-(5) years preceding application, or have received a notice of termination or layoff and have not yet been terminated or laid off; and
 - 2) be eligible for or have exhausted their entitlement to unemployment compensation as determined by the Illinois Department of Employment Security (for purposes of this Part, "eligible for unemployment compensation" includes any

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individual whose wages from employment would be considered in determining eligibility for unemployment compensation under Federal or State unemployment compensation laws); and

- 3) have been employed in an occupation or a series of occupations (one-standard-occupational-classification-(999) code; as defined in subsection (e)(1); with the same employer for at least one year, or employed in a single industry for at least one (1) year, one-or-several employers); or a series of occupations (multiple-999-codes) with the same employer; for at least three (3) years and have either been terminated or laid off from that occupation or industry within the two (2) five-(5) years preceding application or have received notice of impending layoff or termination; and either

A) laid off from a declining industry (A declining industry is any three digit standard industrial classification (SIC) code with less than a zero rate of growth as shown in the "Occupational Projections State of Illinois 1986-2000" prepared by the Illinois Department of Employment Security, 401 South State Street, Chicago, Illinois 60605 and published August 1990); or the occupation (a) which meets the criteria specified in subsection (a)(3) above shall have a projected rate of employment growth that is less than the overall projected rate of employment growth for the State or SBA/SSA

B) laid off from a low growth occupation as shown in the "Growth Rate by SOC Code For: State of Illinois State Employment Change 1986-2000" prepared by the Illinois Occupational Information Coordination Committee, 217 East Monroe, Suite 203, Springfield, Illinois 62701, issued 1990; or

C) laid off from an occupation with less than fifty (50) annual job openings on a statewide basis; or

DB) the applicant must have been unemployed for at least twenty-six (26) weeks and have completed one month of documented job search through the Job Service.

- b) To be eligible under Section 301(a)(1)(B) of the Act, applicants shall have been terminated, or received a notice of termination of employment, as a result of any permanent closure of, or any substantial layoff (as defined in 56 Ill. Adm. Code 2600.20) at a plant, facility or enterprise within the two (2) five-(5) years preceding application, or have received a notice of termination

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for such reason(s) and have not yet been terminated.

- c) To be eligible under Section 301(a)(1)(C) of the Act, applicants shall:

- 1) have been unemployed for fifteen (15) or more of the twenty (20) weeks prior to application; and

- 2) have been employed in an occupation or a series of occupations (one-999-code; as defined in subsection (e)(1); with the same employer for at least one (1) year, or employed in a single industry for at least one (1) year, one-or-several employers); or a series of occupations (multiple-999-codes); with the same employer; for at least three (3) years and have either been terminated or laid off from that occupation or industry within the two (2) five-(5) years preceding application or have received notice of impending layoff or termination; and either

A) laid off from a declining industry the occupation(s) which meet the criteria specified in subsection (e)(2) above shall have a projected rate of employment growth that is less than the overall projected rate of employment growth for the State or SBA/SSA as shown in the "Growth Rate by SOC Code For: State of Illinois State Employment Change 1986-2000"; issued 1990; or

B) laid off from a low growth occupation; or

C) laid off from an occupation with less than fifty (50) annual job openings on a statewide basis; or

DB) the applicant shall have been unemployed for at least twenty-six (26) weeks and have completed one month of documented job search through the Job Service.

- d) Eligibility under Section 301(a)(1)(D) of the Act is limited to applicants who:

- 1) were self-employed (including farmers, ranchers, professionals, independent tradespeople and other business persons) and presently are unemployed as a result of one of the following:

- A) natural disasters such as hurricane, tornado, storm, flood, high water, wind driven water, tidal wave, tsunami, earthquake, volcanic eruption, landslide, mudslide, snow storm, drought, fire, explosion, or

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other catastrophe; or

B) general economic conditions in the community in which they reside as evidenced by one or more of the following:

- i) failure of one or more businesses to which the self-employed individual supplied a substantial proportion of products or business;
 - ii) failure of one or more businesses from which the self-employed individual obtained a substantial proportion of products or services;
 - iii) substantial layoff(s) from, or permanent closure(s) of, one or more plants or facilities that support a significant portion of the state or local economy;
 - iv) depressed price(s) or market(s) for the article(s) produced by the self-employed individual; or
 - v) levels of unemployment in the local areas that meet or exceed national percentages; or
- are self-employed (including farmers, ranchers, professionals, independent tradespeople, and other business persons) who are in the process of going out of business as evidenced by one or more of the following:

- A) the issuance of a notice of foreclosure or intent to foreclose;
- B) the failure of the farm, ranch or business to return a profit during the preceding twelve (12) months;
- C) the entry of the self-employed individual into bankruptcy proceedings;
- D) the inability to make payments on loans insured by tangible business assets;
- E) the inability to obtain capital necessary to continue operations; or
- F) a debt to asset ratio sufficiently high to be indicative of the likely insolvency of the farm, ranch or business; or

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3) are family members, farmhands, or ranchhands of individuals identified in subsections (d)(1) and (2) above, to the extent that their contribution to the farm, ranch, or business constitutes a minimum of one year full-time work in the farm, ranch or business.

e) Occupational and Industrial Information Data

1) The series of occupation(s) that an applicant has held shall be assigned a title and code in accordance with the SOC coding system provided in the 1980 "Standard Occupational Classification Manual" (issued by the U.S. Department of Commerce, Office of Federal Statistical Policy and Standards and published by the U.S. Government Printing Office, Washington, D.C. 20402). The descriptions of job duties provided by the applicant shall be used to determine the applicable title and code. Likewise, the industry in which the applicant was employed at the time of termination or layoff shall be assigned a title and code in accordance with the Standard Industrial Classification (SIC) coding system.

2) The "Growth Rate by SOC Code For: State of Illinois State Employment Change 1986-2000", issued 1990, shall be used for purposes of eligibility determination. This SOC code growth rate information, sorted by region (SDA) and statewide, shall be transmitted to grantees to be used as a basis for determining the growth rate of an applicant's occupation(s). Substate grantees may use information from either sort, however when information is used from the regional sort (SDA), that information (low growth SOC codes) must be added to the substate grantee's title plan on the JTPA-II system. Requests for adding low growth SOC codes to a title plan shall be submitted in writing to the substate grantee's program manager. To meet the growth rate test the applicant's occupation(s) shall have an annual employment growth rate equal-to-or of less than 0.5 percent - the State - average - growth - rate - provided - in - this document.

3) Some low-growth-896-codes-provided-in-the-regional-(SBA) sort-may-not-be-present-in-the-statewide-sort---in instances-when-a-grantee-finds-it-more-advantageous-to-use information-from-the-regional-sort-(SBA)-that-information (low-growth-896-codes)-shall-be-added-to-the-grantee's title-plan-on-the-JTPA-II-system---Requests-for-adding-low growth-896-codes-to-a-title-plan-shall-be-submitted-in writing-to-the-substate-grantee's-program-manager.

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- 34) The growth rate of each occupation in the applicant's series of occupations shall be included in the participant record.

f) Veterans who have voluntarily separated from the military may be considered for eligibility determination under the provision of Section 301(a)(1)(A) of the Act. SDAs shall use a SOC code for these veterans which relates as closely as possible to the veteran's responsibilities in the military.

gf) Up to five percent (5%) of the Title III participants may be enrolled for program services on an annual basis as displaced homemakers (as defined in 56 Ill. Adm. Code 2600.20) if the substate grantee has provided for such in its job training plan. If a substate grantee is having difficulty meeting appropriate expenditure levels, it may petition the Department for permission to expand the service window to serve up to ten percent (10%) eligible displaced homemakers by contacting their program manager.

hg) A substate grantee may issue to any eligible dislocated worker who has applied for the retraining/services under Economic Dislocation and Worker Adjustment Assistance (EDWAA) a certificate of continuing eligibility.

- 1) Such a certificate of continuing eligibility:

- A) shall be effective for periods not to exceed one hundred four (104) weeks;
- B) shall not include any reference to any specific amount of funds;
- C) shall state that it is subject to the availability of funds at the time any such training services are to be provided; and
- D) shall be non-transferable (between individuals or states).

- 2) The following information shall be included on the face of the certificate:

- A) client name;
- B) social security number;
- C) application date;

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- D) certificate expiration date; and
- E) substate grantee's identification number.

3) Certificates may be used by an eligible dislocated worker to seek out and arrange his or her own training with service providers approved by the substate grantee. Substate grantees shall ensure that records are maintained showing to whom such certificates have been issued, the dates of issuance and the ultimate disposition of such certificates.

4) When grantees issue a certificate to an eligible dislocated worker, the applicant file shall contain documentation for the eligibility determination, including an application and a copy of the certificate. The applicant record shall be entered on the JTPA-II MIS and appropriately recorded as certificate holder.

5) When grantees or service providers redeem certificates, copies of original documentation from the applicant file shall be retrieved from the issuing agency, reviewed, and included in the participant file for persons who are redeeming certificates. If, at the time a person presents a certificate for redemption, more than forty-five (45) days have elapsed since the certificate was issued, or if the certificate is being redeemed by a different substate grantee, applicant characteristics will have to be updated on a new application and certificate redemption will be checked as eligibility reason on the application.

(Source: Amended at 16 Ill. Reg. _____, effective _____)

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED RULES

- 1) Heading of the Part: Americans With Disabilities Act Grievance Procedure
- 2) Code Citation: 4 Ill. Adm. Code 400
- 3) Section Numbers:

400.10	New Section
400.20	New Section
400.30	New Section
400.40	New Section
400.50	New Section
400.60	New Section
400.70	New Section
- 4) Statutory Authority: Implementing Title II, Subtitle A of the Americans with Disabilities Act of 1990 (42 U.S.C. 12131-12134), as specified in Title II regulations (28 CFR 35.107), and authorized by Section 18c-1202 of the Illinois Commercial Transportation Law (Ill. Rev. Stat. 1989, ch. 95 1/2, par. 18c-1202) and Section 10-101 of the Public Utilities Act (Ill. Rev. Stat. 1989, ch. 111 2/3, par. 10-101).
- 5) A Complete Description of the Subjects and Issues Involved: These rules implement the Americans with Disabilities Act of 1990 by providing the required framework for the resolution of complaints based on violations of Federal rules at 28 CFR Part 35.
- 6) Will these proposed rules replace emergency rules currently in effect? No.
- 7) Does this rulemaking contain an automatic repeal date: No.
- 8) Do these proposed rules contain incorporations by reference? No.
- 9) Are there any other proposed amendments pending on this Part? No.
- 10) Statement of Statewide Policy Objectives: These proposed rules neither create nor expand any state mandate on units of local government, school districts, or community college districts.

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- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking:
Any person who plans to submit comments should file a notice of intent thereof, within 21 days of the date of this issue of the Illinois Register with:

Chief Clerk
Illinois Commerce Commission
527 East Capitol Avenue
Springfield, IL 62706

Comments should be filed with the Chief Clerk within 45 days of the date of this issue of the Illinois Register.
- 12) Initial Regulatory Flexibility Analysis:
 - A) Date rules were submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: March 16, 1992
 - B) Types of small businesses affected: These rules will not affect any small businesses regulated by the Commission.
 - C) Reporting, bookkeeping or other procedures required for compliance: None.
 - D) Types of professional skills necessary for compliance: None.

The full text of the Proposed Rules begins on the next page:

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NOTICE OF PROPOSED RULES

TITLE 4: GRIEVANCE PROCEDURES
CHAPTER 13: ILLINOIS COMMERCE COMMISSION

PART 400

AMERICANS WITH DISABILITIES ACT GRIEVANCE PROCEDURE

Section

400.10 Purposes
400.20 Definitions
400.30 Procedure
400.40 Designated Coordinator Level
400.50 Final Level
400.60 Accessibility
400.70 Case-by-case Resolution

AUTHORITY: Implementing Title II, Subtitle A of the Americans with Disabilities Act of 1990 (42 U.S.C. 12131-12134), as specified in Title II regulations (28 CFR 35.107), and authorized by Section 18C-1202 of the Illinois Commercial Transportation Law (Ill. Rev. Stat. 1989, ch. 95 1/2, par. 18C-1202) and Section 10-101 of the Public Utilities Act (Ill. Rev. Stat. 1989, ch. 111 2/3, par. 10-101).

SOURCE: Adopted at Ill. Reg. , effective

Section 400.10 Purposes

- a) These ADA grievance procedures are established pursuant to the Americans with Disabilities Act of 1990, 42 U.S.C. Section 12101 et seq. ("ADA"), and specifically Section 35.107 of the Title II regulations, 28 CFR Part 35, requiring the adoption of grievance procedures providing for prompt and equitable resolution of complaints alleging any action that would be prohibited by 28 CFR Part 35. These procedures are to be construed as neither expanding nor diminishing the rights, privileges and remedies otherwise afforded by applicable law.

- b) In general, the ADA requires that each program, service, and activity offered by the Illinois Commerce Commission ("Commission"), when viewed in its entirety, be readily accessible to and usable by qualified individuals with disabilities.

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- c) It is the intent of the Commission to foster open communication with all individuals seeking access to programs, services and activities. The Commission encourages prompt responses to requests for modifications before they become grievances.

- d) Any individual who wishes to review the ADA and applicable regulations to understand the rights, privileges and remedies they afford may contact the Commission's designated coordinator.

- e) The grievance procedures set forth in this Part are informal and do not give rise to a "contested case" for purposes of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1989, ch. 127, par. 1001 et seq.) or the Commission's Rules of Practice (83 Ill. Adm. Code 200).

Section 400.20 Definitions

Complainant -- An individual with a disability or representative of such an individual who files a grievance form provided by the Commission under this Part.

Designated Coordinator -- The person appointed by the Commission's Executive Director who is responsible for the coordination of the Commission's efforts to comply with and carry out its responsibilities under Title II of the ADA, including the investigation of grievances filed by complainants.

Grievance -- A complaint by or on behalf of an individual with a disability who believes he or she has been excluded from participation in, or denied the benefits of, any program, service or activity of the Commission or has been subject to discrimination by the Commission in violation of the ADA.

Section 400.30 Procedure

- a) Grievances must be submitted as set forth in Sections 400.40 and 400.50. It is mutually beneficial that grievances be satisfactorily resolved in a prompt manner, but time limits may be extended by agreement in writing by the complainant and the Designated Coordinator or another employee authorized by the Executive Director.

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- b) A complainant's failure to follow the steps outlined in Sections 400.40 and 400.50 within the time limits stated or any agreed extension of the time limits shall constitute a withdrawal of the grievance.
- c) The Commission shall, upon being informed of an individual's desire to file a grievance, furnish the individual a copy of this Part and the grievance form.

Section 400.40 Designated Coordinator Level

- a) An individual who wishes to file a grievance shall promptly, but no later than 180 calendar days after the alleged violation of the ADA, submit the grievance to the designated coordinator in writing on the form prescribed for that purpose.
- b) The grievance form must be completed in full. Upon request, the Commission shall provide assistance in the completion of the grievance form.
- c) The designated coordinator, or his or her representative, shall investigate the grievance and shall make efforts to resolve it. The designated coordinator shall provide a written response to the Complainant and the Commission's Executive Director within ten business days after receipt of the completed grievance form.

Section 400.50 Final Level

- a) If the designated coordinator has not resolved the grievance to the satisfaction of the complainant, the complainant may submit a copy of the grievance form and designated coordinator's response to the Commission's Executive Director for final review. The complainant shall submit these documents to the Executive Director, together with a written statement explaining the reasons for dissatisfaction with the designated coordinator's response, within twenty business days after receipt by the complainant of the designated coordinator's response.
- b) The Executive Director shall appoint one or more Commission employees to review the grievance. The complainant shall have the opportunity to discuss the grievance with the person or persons appointed to review the grievance. The employee or employees shall review the designated coordinator's response and shall conduct any interviews necessary to further investigate the grievance.

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- c) The employee or employees shall make written recommendations to the Executive Director as to the proper resolution of the grievance. All recommendations shall include reasons for such recommendations and shall bear the signature of the employee or employees making the recommendation.
- d) Upon receipt of the recommendations, the Executive Director shall approve, disapprove or modify the recommendations, and shall render a written decision on the grievance, stating the basis for the decision. The Executive Director's decision shall be furnished to the complainant, and shall be final.
- e) The grievance form, the designated coordinator's response, the statement of reasons for dissatisfaction, the employee recommendations and the decision of the Executive Director shall be maintained in accordance with the State Records Act (Ill. Rev. Stat. 1989, ch. 116, par. 43.3 et seq.).

Section 400.60 Accessibility

The Commission shall ensure that all stages of its grievance procedure are readily accessible to and usable by individuals with disabilities.

Section 400.70 Case-by-case Resolution

Each grievance involves a unique set of factors including the nature of the disability, the otherwise applicable eligibility requirements, the benefits to be derived, the nature of the agency service, program or activity at issue, the health and safety of others, and whether an accommodation would constitute a fundamental alteration of the program, service or activity or an undue hardship to the Commission. Accordingly, termination of a grievance at any level, whether through the granting of relief or otherwise, shall not constitute a precedent on which any person should rely.

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NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Guidelines for the Assessment of Penalties (General Order 55 (MC))
- 2) Code Citation: 92 Ill. Adm. Code 1440
- 3) Section Numbers: 1440.20
Proposed Action:
Amend
- 4) Statutory Authority: Implementing Section 18c-1704 and authorized by Section 18c-1202 of the Illinois Commercial Transportation Law (Ill. Rev. Stat. 1989, ch. 95 1/2, pars. 18c-1101 et seq.)
- 5) A Complete Description of the Subjects and Issues Involved: This proposal lowers the dollar amount (from \$1,000 to \$300) to be applied per violation in determining the amount of civil penalty to be assessed by the Commission.
- 6) Will this proposed amendment replace an emergency amendment currently in effect? No.
- 7) Does this rulemaking contain an automatic repeal date? No.
- 8) Does this proposed amendment contain incorporations by reference? No.
- 9) Are there any other proposed amendments pending on this Part? No.
- 10) Statement of Statewide Policy Objectives? This proposed amendment neither creates nor expands any state mandate on units of local government, school districts, or community college districts.
- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking:

Any person who plans to submit comments should file a notice of intent thereof, within 21 days of the date of this issue of the Illinois Register with:

Kathy Campbell Lynch
Illinois Commerce Commission
527 East Capitol Avenue
Springfield, IL 62794

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Comments should be filed within 45 days of the date of this issue of the Illinois Register.

12) Initial Regulatory Flexibility Analysis:

- A) Date amendment was submitted to Business Assistance Office of the Department of Commerce and Community Affairs: March 18, 1992
- B) Types of small businesses affected: This amendment will affect those carriers that are also small businesses as defined in the Illinois Administrative Procedure Act.
- C) Reporting, bookkeeping or other procedures required for compliance: None
- D) Types of professional skills necessary for compliance: None

The full text of Proposed Amendment begins on the next page:

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TITLE 92: TRANSPORTATION
CHAPTER III: ILLINOIS COMMERCE COMMISSION
SUBCHAPTER b: MOTOR CARRIERS OF PROPERTY

shall seek to assess in actions against the respondent.

PART 1440
GUIDELINES FOR THE ASSESSMENT OF PENALTIES
(GENERAL ORDER 55 (MC))

b) Notwithstanding the above, when it appears that informal settlement discussions will serve to conserve the resources of the Commission and expedite the disposition of the Commission's caseload without jeopardizing the statutory goals of Commission regulation, a lesser amount may be assessed.

Section
1440.10 Guidelines in the Assessment of Civil Penalties
1440.20 Procedure for Determining Civil Penalties

AUTHORITY: Implementing Section 18c-1704 and authorized by Section 18c-1202 of the Illinois Commercial Transportation Law (Ill. Rev. Stat. 1989, ch. 95 1/2, pars. 18c-1101 et seq.).

(Source: Amended at Ill. Reg. , effective)

SOURCE: Adopted at 6 Ill. Reg. 14821, effective November 19, 1982; codified at 8 Ill. Reg. 5154; amended at 10 Ill. Reg. 3815, effective February 10, 1986; Part recodified at 10 Ill. Reg. 18002; amended at 16 Ill. Reg. , effective .

Section 1440.20 Procedure for Determining Civil Penalties

a) Persons found to have committed one or more violations for which civil penalties may be assessed shall be entitled to have such civil penalties determined in accordance with the following procedure.

1) A numerical value of from 0 to 5 shall be assigned to each of the following factors:

- A) the standard of lack of mitigating circumstances;
- B) the standard of lack of good faith or intent;
- C) the standard of ability to pay;
- D) the degree of harm to the public -- extent of violative conduct;
- E) the financial benefit accruing to the respondent.

2) the values assigned shall be summed. The sum shall be divided by the maximum possible weighted value per violation (25) and then multiplied by the maximum possible statutory penalty per violation--\$300 per violation. The result will be the civil penalty which the Commission

DEPARTMENT OF CONSERVATION

NOTICE OF PROPOSED AMENDMENTS

- 1) HEADING OF THE PART: Dove Hunting
- 2) CODE CITATION: 17 Ill. Adm. Code 730
- 3) SECTION NUMBERS:
730.20 Amendments
730.30 Amendments
- 4) STATUTORY AUTHORITY: Implementing and authorized by Sections 1.2, 1.3, 1.4, 1.13, 2.1, 2.2, 2.18, 2.20 and 3.5 of the Wildlife Code (Ill. Rev. Stat. 1991, ch. 61, pars. 1.2, 1.3, 1.4, 1.13, 2.1, 2.2, 2.18, 2.20 and 3.5).
- 5) A COMPLETE DESCRIPTION OF THE SUBJECTS AND ISSUES INVOLVED:
These amendments are being made to change 1992 season dates, add/delete sites, and modify site-specific regulations.
- 6) WILL THIS PROPOSED RULE REPLACE AN EMERGENCY RULE CURRENTLY IN EFFECT? No
- 7) DOES THIS RULEMAKING CONTAIN AN AUTOMATIC REPEAL DATE? No
- 8) DO THESE PROPOSED AMENDMENTS CONTAIN INCORPORATIONS BY REFERENCE? No
- 9) ARE THERE ANY OTHER PROPOSED AMENDMENTS PENDING ON THIS PART?
No
- 10) STATEMENT OF STATEWIDE POLICY OBJECTIVES: This rule has no impact on local governments.
- 11) TIME, PLACE AND MANNER IN WHICH INTERESTED PERSONS MAY COMMENT ON THIS PROPOSED RULEMAKING: Comments on the proposed rule may be submitted in writing for a period of 30 days following publication of this notice to:

Don Woods
Department of Conservation
524 S. Second Street, Room 485
Springfield, IL 62701-1787
- 12) INITIAL REGULATORY FLEXIBILITY ANALYSIS: Not applicable
- THE FULL TEXT OF THE PROPOSED AMENDMENTS BEGINS ON THE NEXT PAGE:

DEPARTMENT OF CONSERVATION

NOTICE OF PROPOSED AMENDMENTS

TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF CONSERVATION
SUBCHAPTER b: FISH AND WILDLIFE

PART 730
DOVE HUNTING

Section
730.10
730.20
730.30

Statewide Regulations
Regulations at Various Department-Owned or -Managed Sites
Youth and Youth/Adult Dove Hunts at Various Department-Owned or -Managed Sites

AUTHORITY: Implementing and authorized by Sections 1.2, 1.3, 1.4, 1.13, 2.1, 2.2, 2.18, 2.20 and 3.5 of the Wildlife Code (Ill. Rev. Stat. 1991, ch. 61, pars. 1.2, 1.3, 1.4, 1.13, 2.1, 2.2, 2.18, 2.20 and 3.5).

SOURCE: Adopted at 5 Ill. Reg. 8792, effective August 25, 1981; codified at 5 Ill. Reg. 10644; amended at 6 Ill. Reg. 9631, effective July 21, 1982; emergency amendment at 6 Ill. Reg. 10040, effective August 2, 1982; amended at 7 Ill. Reg. 10767, effective August 24, 1983; emergency amendment at 7 Ill. Reg. 10999, effective August 24, 1983, for a maximum of 150 days; amended at 8 Ill. Reg. 13680, effective July 25, 1984, amended at 9 Ill. Reg. 11601, effective July 16, 1985; emergency amendment at 9 Ill. Reg. 14025, effective September 4, 1985, for a maximum of 150 days; amended at 10 Ill. Reg. 15590, effective September 16, 1986; amended at 11 Ill. Reg. 9526, effective May 5, 1987; amended at 11 Ill. Reg. 11346, effective June 10, 1987; amended at 12 Ill. Reg. 12186, effective July 15, 1988; amended at 13 Ill. Reg. 10513, effective June 15, 1989; amended at 14 Ill. Reg. 11193, effective June 29, 1990; amended at 15 Ill. Reg. 9951, effective June 24, 1991; amended at 16 Ill. Reg. _____, effective _____.

Section 730.20 Regulations at Various Department-Owned or -Managed Sites

- a) All the regulations in 17 Ill Adm. Code 510 - General Hunting and Trapping apply in this Section, unless this Section is more restrictive.
- b) General Regulations
- 1) Hunters shall use only steel shot size 6 or smaller on the following areas:

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Anderson Lake Conservation Area

Banner Marsh Fish and Wildlife Area

Carlyle Lake Wildlife Management Area
(subimpoundments only)

Chain O'Lakes State Park

Hennepin Canal Parkway State Park

Horseshoe Lake Conservation Area (Alexander
County)

Kaskaskia River State Fish & Wildlife Area
(designated areas)

Lake Shelbyville Wildlife Management Area
(waterfowl management units only)

Rend Lake Project Lands and Waters

Sanganois Conservation Area

~~Sangheis Lake State Fish and Wildlife Area~~

Shabbona State Park

Snake Den Hollow State Fish and Wildlife Area

Ten Mile Creek Fish & Wildlife Area (Eads and
Belle River Units (Units I & II))

Union County Refuge Conservation Area

Wayne Fitzgerald State Recreation Area

- 2) Hunters shall use only shot size 7 1/2, 8 or 9 lead or 6 steel or smaller on all areas, except as noted under subsection (b)(1).

- c) Statewide season regulations as provided for in this rule shall apply at the following areas (exceptions are in parentheses):

AMAX Leased Lands (5:00 p.m. closing September 1 through Labor Day, ~~statewide-closing-thereafter~~)

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Anderson Lake Conservation Area (5:00 p.m. closing September 1 through Labor Day, ~~statewide-closing-thereafter~~)

Argyle Lake State Park (5:00 p.m. closing September 1 through Labor Day, ~~statewide-closing-thereafter~~)

Banner Marsh State Fish and Wildlife Area (Season dates are September 1 - 30; 5:00 p.m. closing September 1 through Labor Day, ~~statewide-closing-thereafter~~)

Big Bend Conservation Area (5:00 p.m. closing September 1 through Labor Day, ~~statewide-closing-thereafter~~)

Big River State Forest (5:00 p.m. September 1 through Labor Day, ~~statewide-closing-thereafter~~)

Cache River State Natural Area

Campbell Pond Wildlife Management Area

Carlyle Lake Lands and Waters - Corps of Engineers managed lands

Carlyle Lake Wildlife Management Area

Chain O'Lakes State Park (Season dates are September 1, 2, 5, 6, 7, 9, 12, 13, 16, 19, 20, ~~21, 22, 23, 24, 27, 28, 29, 30, 31~~ only, 5:00 p.m. closing; daily quota filled on first-come, first-serve basis; check in and check out required; all hunting must be done within 10 feet of Department of Conservation (Department or DOC) marked sites; no gun may be carried into dove fields beyond hunting line; guns must be unloaded when walking to and from hunting areas; DOC issued back patch must be worn while hunting)

Chauncey Marsh (permit required, may be obtained at Red Hills State Park headquarters; no hunting in dedicated Nature Preserve; permits must be returned by 15 February)

Clinton Lake State Park (No hunting within 100 yards of dove management units; in dove management units, shooting hours end at 5:00 p.m. daily September 1-

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5 and daily quotas are filled by daily drawings)

Crawford County Conservation Area (5:00 p.m. closing, September 1 - 30; ~~statewide regulations thereafter~~)

Des Plaines Conservation Area (Season dates are September ~~6, 12, 13, 19, 20, 26, and 27~~ ~~7, 8, 14, 15, 21, 22, 28 and 29~~ only; 5:00 p.m. closing; daily quota filled on first-come, first-serve basis; check in and check out required; all hunting must be done within 10 feet of DOC marked sites; no gun may be carried into dove fields beyond hunting line; guns must be unloaded when walking to and from hunting areas; DOC issued back patch must be worn while hunting)

Dog Island Wildlife Management Area

Eldon Hazlet State Park (North of Allen Branch and West of Peppenhurst Branch)

Ferne Clyffe State Park

Ft. de Chartres State Historic Site (hunting with muzzle-loading shotgun only)

Ft. Massac State Park ~~(5:00 p.m. closing)~~

Fox Ridge State Park (Dove Management Units only, September 1 - 3, 5:00 p.m. closing; daily quota filled by drawing at designated units at 11:00 a.m.; after September 3, governed by subsection (d))

Giant City State Park (5:00 p.m. closing September 1 - ~~5, 5:00 p.m. closing, statewide regulations thereafter~~)

Green River State Wildlife Area (Lee County Conservation Area) (Season dates are September 6-30 only; ~~season closed during dog field trials~~)

Hamilton County Conservation Area (5:00 p.m. closing September 1 - ~~30~~ ~~7, statewide regulations apply thereafter~~)

Heidecke Lake State Fish and Wildlife Area (Season dates are September 1 - 5, 5:00 p.m. closing;

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September 6 - 15 statewide hours; daily quota filled on first-come, first-serve basis; check in and check out required; all hunting must be done within 10 feet of DOC marked sites; no gun may be carried into dove fields beyond hunting line; guns must be unloaded when walking to and from hunting areas)

Hennepin Canal Parkway State Park (Season dates are September ~~1-10~~ ~~1-5, 5:00 p.m. closing, and on Saturdays, Sundays and Wednesdays from September 11-30~~ ~~30-30, 5:00 p.m. statewide closing~~)

Hidden Springs State Forest (Dove management units only, September 1 - 3, 5:00 p.m. closing; daily quota filled by drawing at designated units at 11:00 a.m.; after September 3, governed by subsection (d))

Horseshoe Lake Conservation Area - Alexander County (Season dates are September 1 through October 15, 5:00 p.m. closing)

Horseshoe Lake State Park - Madison County (Season dates are September 1 - 30, 5:00 p.m. closing)

I-24 Area (Season dates are opening day, Wednesdays, Saturdays and Sundays only, 5 p.m. closing)

Iroquois County Conservation Area (5:00 p.m. closing September 1 - ~~5, 5:00 p.m. closing; daily quota filled by drawing, DOC back patch required; after September 5, statewide hours and seasons apply; hunting permitted only in designated areas; all hunting must be done within 10 feet of DOC marked sites~~)

Johnson Sauk Trail State Park (Season dates are September 1 - 15, except closed Saturday and Sunday of Labor Day weekend, 5:00 p.m. closing)

Jubilee College State Park (Season dates are September 1 - 21 on Wednesdays, Saturdays, Sundays and holidays, 5:00 p.m. closing)

Kankakee River State Park (Season dates are September 6 - 30, daily quota filled on first-come, first-serve basis; hunters must check in and check out; all hunting must be done within 10 feet of DOC marked sites; no gun may be carried into dove fields

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beyond hunting line)

Kaskaskia River State Fish and Wildlife Area (Hunting allowed on designated areas on odd number dates only during first week of season then everyday thereafter; 5:00 p.m. closing)

Kickapoo State Park (Hunters must check in and check out)

Kidd Lake State Natural Area

Lake Kinkaid Fish and Wildlife Area

Lake Le-Aqua-Na State Park (Season dates are September 1 - 15; except September 1 through 10, 5:00 p.m. closing)

Lake Shelbyville-Kaskaskia and West Okaw Fish and Wildlife Areas (dove management areas only, September 1 - 3, 5:00 p.m. closing; daily quota filled by drawing at 11:00 a.m. daily; statewide regulations apply to the rest of the site except no hunting within 300 yards of dove management areas)

Little Black Slough State Natural Area

Lower Cache River State Natural Area

Mackinaw River State Fish and Wildlife Area (season dates are September 6 - 30; 5 p.m. closing)

Marseilles Fish and Wildlife Area (Season dates are September 1 through the 1st Thursday after Labor Day, 5:00 p.m. closing; thereafter open Monday through Thursday only and statewide hours apply)

Marshall State Fish and Wildlife Area

Matthiessen State Park (Season dates are September 1 - 15 only on opening day, holidays, Wednesdays, Saturdays and Sundays; except closed the Saturday and Sunday of Labor Day weekend; 5:00 p.m. closing)

Mazonia State Fish and Wildlife Area (Season dates are September 1 - two weeks before duck season, hunters must check in and check out)

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Marmet Lake Conservation Area (Season dates are opening day, Wednesdays, Saturdays and Sundays only, 5:00 p.m. closing; daily hunter quota 30 hunters, filled on a first-come, first-serve basis)

Middle Fork State Fish and Wildlife Area (September 1-7, 5:00 p.m. closing; daily quota filled by drawing at site 11:00 daily; registration begins at 10:00 a.m.; after September 7, statewide regulations apply; at all times, hunters must maintain 20 yard spacing and hunt in designated areas only; hunting permitted only in sunflower fields only September 1-15; 5:00 p.m. closing September 1-7, quota filled by daily drawing; sunset closing September 8-15; after September 15 statewide regulations apply to entire site except that in sunflower fields, hunters must maintain a minimum of 20 yard spacing and hunt from field edges at all times)

Mississippi River Pools 16, 17, 18, 21, 22, 24

Mississippi River Pools 25, 26 (at Red's Landing, Rip Rap Landing, Stump Lake, Hadley Landing, Michael and Calhoun Point, noon - 5:00 p.m. from September 1 - 5; thereafter noon - sunset)

Moraine View State Park (5:00 p.m. closing September 1 - 7, 5:00 p.m. closing; daily quota filled on first-come, first-serve basis; after September 7 statewide hours and seasons apply, hunters must check in and check out; at all times, hunters must wear DOC issued back patch and hunt in designated areas only)

Morrison-Rockwood State Park (Season dates are September 1 - 15 except closed Saturday and Sunday of Labor Day weekend; 5:00 p.m. closing)

Mt. Vernon Game Farm (Season dates are September 1-30 only on Wednesdays, Saturdays and Sundays only; 5:00 p.m. closing; Wednesdays, Saturdays and Sundays only; hunter quota posted at headquarters; first-come basis; hunters must hunt within ten feet of stakes; no gun may be carried into dove fields beyond hunting line)

Panther Creek Conservation Area

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Pike County Conservation Area (noon - 5:00 p.m. ~~all season through Labor Day~~; hunting by staked sites only)

Pyramid State Park (5:00 p.m. closing)

Railsplitter State Park (Season dates are September 6 - 1730; hunter quota to be filled on a first-come basis; hunters must hunt from within 10 feet of a hunter stake; no shooting except in the direction of the assigned fields)

Ramsey Lake State Park (5:00 p.m. closing)

Randolph County Conservation Area (5:00 p.m. closing September 1-5; ~~statewide regulations apply thereafter~~)

Red Hills State Park (~~season dates are 5:00 p.m. closing September 1 - 7 Wednesday, Saturday, Sunday only September 1 - 30; statewide regulations apply daily thereafter~~)

Rend Lake Project Lands and Waters (statewide regulations apply, except posted dove management areas close at 5:00 p.m.; after 5:00 p.m., no person may hunt dove within 300 yards of dove management areas)

Rockhouse Creek (Monroe County)

Saline County Conservation Area (5:00 p.m. closing September 1 - 30; ~~statewide regulations apply thereafter~~)

Sam Dale Lake Conservation Area (5:00 p.m. closing)

Sam Parr State Park (5:00 p.m. closing September 1 - 30; ~~statewide regulations apply thereafter~~)

Sand Ridge State Forest (Season dates are September 6 - October 30)

Sangamon County Conservation Area

Sangamon County Conservation Area (5:00 p.m. closing September 1 - 5; ~~statewide regulations apply thereafter~~; hunter quota to be filled on a

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first-come basis)

Sangchris Lake State Park (Season dates are September 6 - 30)

Shabbona State Park (5:00 p.m. closing until Labor Day weekend; ~~Season dates are September 1 - 15 only; 5:00 p.m. closing~~; closed Saturday and Sunday of Labor Day weekend)

Siloam Springs State Park (~~season~~—5:00 p.m. closing ~~all season~~; hunting by staked hunting sites only)

Silver Springs State Park (Season dates are September 6 - 30; check in and check out required; hunters must hunt planted dove fields only; hunters must hunt within 10 feet of Department marked sites; no gun may be carried into dove fields beyond hunting line; guns must be unloaded when entering and leaving hunting area; no hunting on days designated for National Hunting and Fishing Day activities)

Snake Den Hollow State Fish and Wildlife Area (5:00 p.m. closing through Labor Day; ~~season dates are September 1-30 Season dates are September 1 - 30; 5:00 p.m. closing through Labor Day, statewide closing thereafter~~)

Stephen A. Forbes State Park (5:00 p.m. closing)

Tapley Woods State Natural Area

Ten Mile Creek State Fish and Wildlife Area (permit required; areas designated as Refuge are closed to all access during Canada Goose Season only; parking card must be displayed on dashboard of vehicle; permit must be returned by February 15 to the District Wildlife Manager, P.O. Box 313, Olney, IL 62450)

Trail of Tears State Forest

Turkey Bluffs State Fish and Wildlife Area (5:00 p.m. closing September 1 - 5)

Union County Conservation Area (5:00 p.m. closing ~~Season dates are September 1-5; season dates are~~

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~~5:00 p.m. closing, statewide regulations September 1 - October 15)~~

Washington County Conservation Area

Wayne Fitzgerald State Recreation Area (5:00 p.m. closing; closed September 1 - 37 ~~and during hersebaek field trials, 5:00 p.m. closing)~~

Weinberg-King State Park (5:00 p.m. closing)

Wildcat Hollow State Forest

Witkowsky State Wildlife Area

- d) Statewide regulations as provided in this Part apply at the following sites with exceptions noted in parentheses. In addition, hunters must obtain a free permit from site office. Permits are not transferable and must be in possession while hunting. The permit must be returned and harvest reported by February 15 or hunter will forfeit hunting privileges for that site for the following year.

Eagle Creek State Park (Season dates are September 15 - October 30)

Fox Ridge State Park (does not apply in dove management units as noted in Section 730.20(c))

Hidden Springs State Forest (does not apply in dove management units as noted in Section 730.20(c))

Lake Shelbyville Eagle Creek Wildlife Management Area

e) Permit areas

- 1) Permit season dates shall be September 1 - 5 at the following sites, hunting hours shall be from Noon to 5:00 p.m. (exceptions in parenthesis):

Des Plaines Conservation Area (Hunters must hunt assigned fields only and hunt within 10 feet of DOC marked sites; no gun may be carried into dove field beyond shooting line; guns must be unloaded when walking to and from hunting area)

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Green River State Wildlife Area (Lee County Conservation Area)

Kankakee River State Park (Hunters must hunt assigned fields only and hunt within 10 feet of DOC marked sites; no gun may be carried into dove field beyond shooting line)

Mackinaw River State Fish and Wildlife Area

Railsplitter State Park (Hunters must hunt assigned fields only and hunt within 10 feet of DOC marked sites; no gun may be carried into dove field beyond shooting line; no shooting except in direction of assigned fields)

Sand Ridge State Forest

Sangchris Lake State Park (Hunters must hunt assigned fields only; field 2 accessible by boat only; ~~hunters must hunt within 10 feet of marked sites; no gun may be carried onto dove field beyond shooting line; it is unlawful to move stakes or markers~~)

Silver Springs State Park (Hunters must hunt assigned fields only and hunt within 10 feet of DOC marked sites; no gun may be carried into dove field beyond shooting line; guns must be unloaded when walking to and from hunting area)

2) Permit Applications

Applicants must contact the Department to obtain a permit reservation. Starting dates and methods for making reservations will be publicly announced. Applicants making reservations will be sent confirmation. Up to ~~six~~ six reservations, but only one per applicant, may be made. Multiple reservations for the same person will not be accepted and that person will forfeit his right to acquire a reservation for the season.

- 3) Hunting at these areas is by special permit only for the first five days of the season; thereafter, no permits are required for hunting at these sites.

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All permits will be issued from Springfield and not from the area.

- 4) Check-in time for registration shall be between 9:00 a.m. and 11:00 a.m. Openings after 11:00 a.m. will be filled on a first-come basis, or by a daily drawing if there are more stand-by hunters than openings available.
- 5) All hunters must wear a back patch.
- 6) Shot size to be used is 7 1/2, 8 or 9 lead or 6 steel or smaller.
- 7) Each applicant shall apply for only one area and receive one permit per year. An applicant may reapply only if his previous application was unsuccessful.

(Source: Amended at 16 Ill. Reg. _____, effective _____)

Section 730.30 Youth and Youth/Adult Dove Hunts at Various Department-Owned or -Managed Sites

- a) A one-day Youth Dove Hunt will be held on September ± 5 at the following sites:

Horseshoe Lake State Park

Kankakee River State Park

Ramsey Lake State Park

Sangchris Lake State Park

Silver Springs State Park

Stephen A. Forbes State Park

- b) A one-day youth/adult dove hunt will be held on September ± 5, where both the youth and adult will be permitted to hunt at the following sites:

Mackinaw River State Fish and Wildlife Area

Mt. Vernon Game Farm

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Sam Parr State Park

- c) Hunting hours are from 12:00 p.m. to 5:00 p.m. Check-in time is from 10:00 a.m. to 11:30 a.m.
- d) Hunter quota will be announced by public news release. Hunter quota is determined by the formula: one hunter per 10 to 40 huntable acres. Huntable acres are determined by, but not limited to, the biological studies on the number of the species available; the condition, topography, and configuration of the land at the site; and the number of employees available to work at the site.
- e) All hunters must have a hunting permit and wear a back patch while hunting. Stand-by permits will be available at the site by lottery drawing if vacancies occur.
- f) Applicants must be between the ages of 10 and 15 inclusive, with a valid Illinois hunting license.
- g) Each youth must be accompanied by a supervising adult. If the hunter does not have a valid Firearm Owner's Identification (F.O.I.D.) Card, the supervising adult is required to have a F.O.I.D. Card. Only one supervising adult in a hunting party is required to have a valid F.O.I.D. Card if the hunters in the hunting party stay under the immediate control (accompany youth hunters at all times) of the supervising adult possessing the valid F.O.I.D. Card. All adult hunters must have a valid F.O.I.D. card.
- h) Applicants must contact the Department to obtain a permit reservation. Starting dates and methods for making reservations will be publicly announced. Applicants making reservations will be sent confirmation. Up to two six reservations, but only one per applicant, may be made. Multiple reservations for the same person will not be accepted and that person will forfeit his right to acquire a reservation for the season.

- (i) Shot size to be used is 7 1/2, 8 or 9 lead or 6 steel or smaller. ~~Steel shot only at Sangchris Lake State Park.~~

(Source: Amended at 16 Ill. Reg. _____, effective _____)

1) HEADING OF THE PART: Squirrel Hunting

2) CODE CITATION: 17 Ill. Adm. Code 690

3) SECTION NUMBERS: 690.20
690.30

SECTION NUMBERS: 690.20
690.30

PROPOSED ACTION: Amendments
Amendments

4) STATUTORY AUTHORITY: Implementing and authorized by Sections 1.2, 1.3, 1.4, 2.1, 2.2, 2.28 and 3.5 of the Wildlife Code (Ill. Rev. Stat. 1991, ch. 61, pars. 1.2, 1.3, 1.4, 2.1, 2.2, 2.28, and 3.5).

5) A COMPLETE DESCRIPTION OF THE SUBJECTS AND ISSUES INVOLVED: These amendments revise hunting dates for squirrel season on various state sites and open three new state sites.

6) WILL THIS PROPOSED RULE REPLACE AN EMERGENCY RULE CURRENTLY IN EFFECT? No

7) DOES THIS RULEMAKING CONTAIN AN AUTOMATIC REPEAL DATE? No

8) DO THESE PROPOSED AMENDMENTS CONTAIN INCORPORATIONS BY REFERENCE? No

9) ARE THERE ANY OTHER PROPOSED AMENDMENTS PENDING ON THIS PART? No

10) STATEMENT OF STATEWIDE POLICY OBJECTIVES: This rule has no impact on local governments.

11) TIME, PLACE AND MANNER IN WHICH INTERESTED PERSONS MAY COMMENT ON THIS PROPOSED RULEMAKING: Comments on the proposed rule may be submitted in writing for a period of 30 days following publication of this notice to:

Don Woods
Department of Conservation
524 S. Second Street, Room 485
Springfield, IL 62701-1787

12) INITIAL REGULATORY FLEXIBILITY ANALYSIS: Not applicable

THE FULL TEXT OF THE PROPOSED AMENDMENTS BEGINS ON THE NEXT PAGE:

TITLE 17: CONSERVATION

CHAPTER I: DEPARTMENT OF CONSERVATION

SUBCHAPTER b: FISH AND WILDLIFE

PART 690

SQUIRREL HUNTING

Section 690.10	Hunting Zones
690.20	Statewide Regulations
690.30	Regulations at Various Department-Owned or -Managed Sites

AUTHORITY: Implementing and authorized by Sections 1.2, 1.3, 1.4, 2.1, 2.2, 2.28, and 3.5 of the Wildlife Code (Ill. Rev. Stat. 1991, ch. 61, pars. 1.2, 1.3, 1.4, 2.1, 2.2, 2.28, and 3.5).

SOURCE: Adopted at 5 Ill. Reg. 8017, effective July 24, 1981; codified at 5 Ill. Reg. 10642; emergency amendment at 5 Ill. Reg. 11382, effective October 14, 1981, for a maximum of 150 days; amended at 6 Ill. Reg. 9642, effective July 21, 1982, amended at 7 Ill. Reg. 8809, effective July 15, 1983; emergency amendment at 7 Ill. Reg. 9690, effective August 1, 1983, for a maximum of 150 days; amended at 8 Ill. Reg. 16789, effective August 30, 1984, amended at 9 Ill. Reg. 11614, effective July 16, 1985; amended at 10 Ill. Reg. 15601, effective September 16, 1986; amended at 11 Ill. Reg. 9549, effective May 5, 1987; amended at 12 Ill. Reg. 12246, effective July 15, 1988; amended at 13 Ill. Reg. 10606, effective June 15, 1989; amended at 14 Ill. Reg. 10816, effective June 20, 1990; amended at 15 Ill. Reg. 10012, effective June 24, 1991; amended at 16 Ill. Reg. _____, effective _____.

Section 690.20

Statewide Regulations

- a) Fox squirrels and gray squirrels (including their black color phase) are the only tree squirrels that may be hunted or taken.
- b) Southern zone season dates: August 1 through December 31 (except closed during firearm deer seasons, as set by 17 Ill. Adm. Code 650).
- c) Northern zone season dates: September 1 through December 31 (except closed during firearm deer seasons, as set by 17 Ill. Adm. Code 650, in those counties open to firearm deer hunting).
- d) Hunting hours: Sunrise until sunset.

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- e) Daily limit: 5 fox and gray (including their black color phase), squirrels, singly or in combination.
- f) Possession limit: 10 fox and gray (including their black color phase), singly or in combination, except on opening day of the season when only 5 squirrels may be in possession.

(Source: Amended at 16 Ill. Reg. _____, effective _____)

Section 690.30 Regulations at Various Department-Owned or -Managed Sites

- a) All the regulations in 17 Ill. Adm. Code 510, General Hunting and Trapping on Department-Owned or Managed Sites, apply in this Part, unless this Part is more restrictive.
- b) Only those sites listed in this Section marked with an asterisk (*) allow hunting with .22 caliber rimfire firearms or muzzle-loading black powder rifles.
- c) Statewide season regulations shall apply at the following sites (exceptions are listed in parentheses):

* AMAX Leased Lands

Anderson Lake Conservation Area

Argyle Lake State Park

Big Bend Conservation Area

Big River State Forest

- * Cache River State Natural Area (Little Black Slough Hunting Area)

Cache River State Natural Area (Lower Cache River Hunting Area)

- * Campbell Pond Wildlife Management Area

Carlyle Lake Lands and Waters - Corps of Engineers managed lands

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- * Carlyle Lake Wildlife Management Area (in the Waterfowl Management Area from opening day to 3 days before the waterfowl season)
- * Chauncey Marsh (permit required, may be obtained at Red Hills State Park headquarters; no hunting in dedicated Nature Preserve; must return permit by February 15)
- * Crawford County Conservation Area
- * Dog Island Wildlife Management Area
- Eldon Hazlet State Park (North of Allen Branch and west of Peppenhorst Branch)
- * Fort De Chartres Historic Site (hunting with muzzleloading firearms or bow and arrow)
- Fort Massac State Park (east of Massac Creek only)
- Green River State Wildlife Area (Lee County Conservation Area) (September 6 - October 31, no hunting during field trials)

- * ~~Horseshoe Lake Public Hunting Area - Alexander County (north of Route 3 only)~~

I-24 Wildlife Management Area

- * Kaskaskia River Fish and Wildlife Area (Doza Creek Waterfowl Management Area closed 3 days prior to and during duck season)

Kickapoo State Park (free permit required, obtain from site office; hunters must return permit and report harvest by February 15 or hunting privileges for following year will be forfeited)

Kidd Lake State Natural Area

- * Kinkaid Lake Fish and Wildlife Area

- * Lake Shelbyville-Kaskaskia and West Okaw Wildlife Management Area (no handguns)

Mackinaw State Fish and Wildlife Area (September 1 - October 31)

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- * Marseilles Fish and Wildlife Area (Monday through Thursday from September 9 through October 31)
- Marshall State Fish and Wildlife Area
- * Mermet Lake Conservation Area (from opening day until the first day of the duck season)
- Middle Fork Fish and Wildlife Area (free permit required, obtain from site office; hunters must return permit and report harvest by February 15 or hunting privileges for following year will be forfeited)
- * Mississippi River Pools 16, 17, 18, 21, 22, 24, 25, 26
- * Panther Creek Conservation Area
- * Pike County Conservation Area (no hunting after November 30 in Area A; no hunting after December 15 in Area C)
- Ramsey Lake State Park
- Randolph County Conservation Area
- Red Hills State Park
- * Rend Lake Project Lands and Waters
- * Rockhouse Creek (Monroe County)
- * Saline County Conservation Area (North of the township road)
- Sam Dale Lake Conservation Area
- Sam Parr Fish and Wildlife Area
- * Sand Ridge State Forest (from opening day until the first day of the upland hunting season)
- * Sangamon County Conservation Area
- * Sanganois Conservation Area

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- * Shawnee National Forest, LaRue Scatters (closes at noon)
- * Shawnee National Forest, Oakwood Bottoms (Greentree Reservoir, west of Big Muddy Levee, closes at noon, steel shot only)
- Site M (Saturdays and Sundays as announced by the Department; land leased from Commonwealth Edison in Cass County; hunter quota to be announced by public news release; check station will open at 5 a.m., and all hunters must check in and exchange their hunting license for a back patch which must be worn at all times while in the field. All hunters must check out and report harvest immediately after hunting; hunting is permitted in designated areas only; parking is permitted at designated parking areas only)
- Stephen A. Forbes State Park
- Tapley Woods State Natural Area (closed during fall firearm turkey season)
- * Ten Mile Creek State Fish and Wildlife Area (permit required; areas designated as Refuge are closed to all access during Canada Goose Season only; windshield cards must be displayed on dashboard of vehicle; permit must be returned by February 15 to District Wildlife Manager, P.O. Box 313, Olney, IL 62450)
- * Trail of Tears State Forest
- * Turkey Bluffs State Fish and Wildlife Area
- Washington County Conservation Area
- Weinberg-King State Park
- * Wildcat Hollow State Forest
- * Witkowsky State Wildlife Area
- d) Season dates shall be the day following Labor Day to the end of the statewide season at the following sites:
- Ferne Clyffe State Park

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Giant City State Park

Hamilton County Conservation Area

Pere Marquette State Park

Pyramid State Park

Saline County Conservation Area (south of Township Road)

Siloam Springs State Park

Walnut Point Fish and Wildlife Area

- e) The following season dates shall apply on the following sites (exceptions to statewide hours are listed in parentheses):

Argyle Lake State Park, October 15 to the end of the statewide season

Castle Rock State Park; September 1 - October 15

Chain O'Lakes State Park (opens Wednesday after permit pheasant season for five consecutive days, except closed on Christmas Day; 8:00 a.m. to 4:00 p.m.; hunters must check in and check out; daily quota filled on first-come, first-serve basis; DOC issued back patch must be worn while hunting; only shot size of No. 5 lead or No. 3 steel or smaller may be used)

- * Horseshoe Lake Public Hunting Conservation Area, Alexander County, south of Rt. 3 only; Public Goose Hunting Area, August 1 - September 30; October 15; other portions of Public Hunting Area open during statewide season

Iroquois County Conservation Area; September 1 - 30

Johnson Sauk Trail State Park; September 15 - 30

Jubilee College State Park; September 1-30 (Sunrise - 4:00 p.m.)

Kankakee River State Park; September 1-30

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Moraine View State Park; September 1 - day before opening of site's permit pheasant season (Sunrise - 4:00 p.m.)

Silver Springs State Park; September 1 - 30 in Areas B and C; ~~September 1 - October 31 in Area B; harvest must be reported before leaving the site; daily quota filled on first-come, first-serve basis~~

Spring Lake Conservation Area; September 10 - 30 (Sunrise - 4:00 p.m.)

- * Union County Public Hunting Conservation Area - Public goose Hunting Area; August 1 - October 15; Pigeon Line Management Unit; August 1 - November 1; other portions of Public Hunting Area open during statewide season

Walnut Point Fish and Wildlife Area; October 1-15; Monday - Friday only; daily from October 16 to end of Statewide Season

Woodford County Conservation Area; September 1 - 30

- f) Statewide regulations as provided in this Part apply at the following sites with exceptions noted in parentheses. In addition, hunters must obtain a free permit from site office. Permits must be in possession while hunting. The permit must be returned and harvest reported by February 15 or hunter will forfeit hunting privileges for that site for the following year.

Clinton Lake State Park

Eagle Creek State Park (Season opens September 15)

- * Fox Ridge State Park (no handguns)

- * Hidden Springs State Forest (.22 rimfire rifles and muzzle-loading rifles permitted after October 1 only; no handguns)

- * Lake Shelbyville Eagle Creek Wildlife Management Area (no handguns)

Mt. Vernon Propagation Center (August 1-31; sunrise to 3:00 p.m.; site permit required; report by

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September 15)

(Source: Amended at 16 Ill. Reg. _____, effective _____)

DEPARTMENT OF CORRECTIONS
NOTICE OF PROPOSED AMENDMENTS1) Heading of the Part: RIGHTS AND PRIVILEGES2) Code Citation: 20 Ill. Adm. Code 5253) Section Numbers: Proposed Action:

525.110	Amend
525.130	Amend
525.140	Amend
525.150	Amend

4) Statutory Authority: Implementing and authorized by Section 3-2-2 of the Unified Code of Corrections (Ill. Rev. Stat. 1989, ch. 38, par. 1003-2-2).5) A Complete Description of the Subjects and Issues Involved: This rulemaking seeks to permanently adopt emergency amendments to Sections 525.110 and 525.140 which were published on March 6, 1992, 16 Ill. Reg. 3583 to provide for outgoing mail to clerks of courts to be treated as privileged mail. In addition, non-substantive grammatical changes are being made; provisions are being made to continue to mail legal mail and other specified mail at State expense when the committed persons are without funds if the committed person authorizes deductions of future funds to cover this expense; procedures for the Community Services Division are being removed in Section 525.130 as this Section only applies to the Adult and Juvenile Divisions; and to permit committed persons to place collect calls to Puerto Rico.6) Will this proposed amendment replace an emergency rule currently in effect? Yes7) Does this rulemaking contain an automatic repeal date? Yes
X No8) Does this proposed amendment contain incorporation by reference? No.9) Are there any other proposed amendments pending on this Part? No.10) Statement of Statewide Policy Objectives: Not applicable; this rulemaking does not create or expand any State mandate.11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may submit written comments to:

William H. Craine, Ph.D., Deputy Director
Illinois Department of Corrections
1301 Concordia Court

DEPARTMENT OF CORRECTIONS
NOTICE OF PROPOSED AMENDMENTS

P. O. Box 19277
Springfield, Illinois 62794-9277

All written comments received within 45 days of the date of this publication will be considered.

- 12) Initial Regulatory Flexibility Analysis: Not required; this rulemaking does not affect small businesses.

The full text of the Proposed Amendments begins on the next page:

DEPARTMENT OF CORRECTIONS
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TITLE 20: CORRECTIONS, CRIMINAL JUSTICE, AND LAW ENFORCEMENT
CHAPTER I: DEPARTMENT OF CORRECTIONS
SUBCHAPTER e: OPERATIONS

PART 525

RIGHTS AND PRIVILEGES

SUBPART A: VISITATION

Section	
525.10	Applicability
525.12	Definitions
525.15	Responsibilities
525.20	Visiting Privileges
525.30	Clergy Visitation
525.40	Attorney Visitation - Adult and Community Services Divisions
525.50	Attorney Visitation - Juvenile Division (Court Agreement)
525.60	Restriction of Visitors

SUBPART B: MAIL AND TELEPHONE CALLS

Section	
525.100	Applicability
525.110	Definitions
525.115	Responsibilities
525.120	Processing of Mail
525.130	Outgoing Mail
525.140	Incoming Mail
525.150	Telephone Privileges

SUBPART C: PUBLICATIONS

Section	
525.200	Applicability
525.202	Definitions
525.205	Responsibilities
525.210	General Guidelines
525.220	Publications Review Committee
525.230	Appeal Process for Non-approved Publications

SUBPART D: MARRIAGE OF COMMITTED PERSONS

Section	
525.300	Applicability
525.302	Definitions
525.305	Responsibilities
525.310	Request for Permission to Marry

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AUTHORITY: Implementing Sections 3-2-2(d) and (i), 3-7-1, 3-7-2, 3-7-4, 3-8-7 and 3-10-8 of the Unified Code of Corrections (Ill. Rev. Stat. 1989, ch. 38, pars. 1003-2-2(a) and (i), 1003-7-1, 1003-7-2, 1003-7-4, 1003-8-7 and 1003-10-8) and Section 1-3(9) of the Juvenile Court Act of 1987 (Ill. Rev. Stat. 1989, ch. 37, par. 801-3(9)) and authorized by Sections 3-2-2, 3-7-1, and 3-7-4 of the Unified Code of Corrections (Ill. Rev. Stat. 1989, ch. 38, pars. 1003-2-2, 1003-7-1, and 1003-7-4). Subparts A and C are also implementing Consent Decrees (Tillman vs. Rowe, #77 C 1008, N.D. Ill., 1977 and Green vs. Stelaff, #71 C 1403, N.D. Ill., 1973 and amended 1976).

SOURCE: Adopted at 8 Ill. Reg. 14598, effective August 1, 1984; amended at 9 Ill. Reg. 10728, effective August 1, 1985; amended at 11 Ill. Reg. 16134, effective November 1, 1987; amended at 12 Ill. Reg. 9664, effective July 1, 1988; amended at 14 Ill. Reg. 5114, effective April 1, 1990; amended at 14 Ill. Reg. 19875, effective December 1, 1990; emergency amendment at 16 Ill. Reg. 3583, effective February 20, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. _____, effective _____.

SUBPART B: MAIL AND TELEPHONE CALLS

Section 525.110 Definitions

- a) "Chief Administrative Officer" means the highest ranking official of a correctional facility.
- b) "Department" means the Department of Corrections.
- c) "Director" means the Director of the Department of Corrections.
- d) "Incoming P privileged mail" means mail to and from the following:

- 1) The Director;
- 2) Deputy Directors and Assistant Deputy Directors of the Department;
- 3) Members of the Office of Advocacy Services;
- 4) Members of the Administrative Review Board;
- 5) Members of the Prisoner Review Board;
- 6) The Governor of Illinois;
- 7) Federal, Illinois, or local Illinois legislators;
- 8) Chief Executive Officers of the Federal Bureau of Investigation, the Drug Enforcement Administration, the

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Criminal Division of the Department of Justice, the United States Customs Service, the Secret Service, the Illinois State Police, and Sheriff's Offices and Police Departments in the State of Illinois;

- 9) John Howard Association; and
- 10) Legal mail.

e) "Outgoing privileged mail" means mail to the following:

- 1) The Director;
- 2) Deputy Directors and Assistant Deputy Directors of the Department;
- 3) Members of the Office of Advocacy Services;
- 4) Members of the Administrative Review Board;
- 5) Members of the Prisoner Review Board;
- 6) The Governor of Illinois;
- 7) Federal, Illinois or local Illinois legislators;
- 8) Chief Executive Officers of the Federal Bureau of Investigation, the Drug Enforcement Administration, the Criminal Division of the Department of Justice, the United States Customs Service, the Secret Service, the Illinois State Police, and Sheriff's Offices and Police Departments in the State of Illinois;

- 9) John Howard Association;

- 10) Clerks of courts; and

- 11) Legal mail.

e f) "Legal mail" means mail to and from the following:

- 1) Registered Attorneys;
- 2) The Illinois Attorney General;
- 3) Judges or magistrates of any court or the Illinois Court of Claims; and

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- 4) Any organization which provides direct legal representation to committed persons, but not including organizations which provide referrals to attorneys such as, bar associations.

(Source: Amended at 16 Ill. Reg. _____, effective _____)

Section 525.130 Outgoing Mail

This Section applies only to the Adult and Juvenile Divisions.

- a) Committed persons shall be permitted to mail at State expense the equivalent of three one-ounce, first-class letters to the continental United States each week. This allowance may not be transferred from one committed person to another, nor may it accumulate from one week to another.
- b) Committed persons shall be permitted to send additional letters if they have sufficient funds in their trust fund accounts and attach signed money vouchers to cover the postage. Committed persons with insufficient money in their trust fund accounts shall be permitted to send reasonable amounts of legal mail and mail to clerks of any court or the Illinois Court of Claims and to certified court reporters at State expense if they attach signed money vouchers authorizing deductions of future funds to cover the cost of the postage. All other privileged and non-privileged mail will be sent only if the committed person has sufficient funds to pay the postage.
- c) Committed persons must clearly mark all outgoing mail with their name and in the Adult Division and Community Services Divisions with their institutional number. Mail that is not properly marked, including privileged mail, shall be opened and returned to the sender if the sender's identity can be determined. If the sender's identity cannot be determined, the mail shall be destroyed.
- d) Outgoing privileged mail must be clearly marked as "privileged" and sealed by the committed person. Outgoing mail which is clearly marked as privileged and addressed to a privileged party may not be opened for inspection.
- e) With the exception of privileged mail, all mail shall be unsealed when collected or placed in housing unit mailboxes. Sealed mail that is not privileged will be opened and returned to the sender if the sender's identity can be determined. If the sender's identity cannot be determined, the mail shall be destroyed.
- f) Each correctional facility shall establish procedures for the collection of outgoing mail. Collections shall be made daily, Monday

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through Friday, except on State holidays. Every effort shall be made to ensure that mail is delivered to the U.S. Postal Service on the same day.

- g) Outgoing non-privileged mail shall be inspected for contraband. If a letter from a committed person is confiscated because it contains contraband, the committed person shall be notified promptly in writing.
- h) Department employees may spot check and read outgoing non-privileged mail. Outgoing non-privileged mail or portions thereof may be reproduced or withheld from delivery if it presents a threat to security or safety, including the following:
 - 1) The letter contains threats of physical harm against any person or threats of criminal activity;
 - 2) The letter contains threats of blackmail or extortion;
 - 3) The letter contains information regarding sending contraband into or out of the facility, plans to escape, or plans to engage in criminal activity;
 - 4) The letter is in code and its contents cannot be understood by correctional staff;
 - 5) The letter violates any departmental rules or contains plans to engage in activities in violation of departmental or institutional rules;
 - 6) The letter solicits gifts, goods, or money from other than family members;
 - 7) The letter contains information which if communicated might result in physical harm to another;
 - 8) The letter contains unauthorized correspondence with another committed person; or
 - 9) The letter or contents thereof constitute a violation of State or federal law.
- i) Any outgoing letter may be stopped and returned to the sender if the person to whom it is addressed (or a parent or guardian, if the addressee is a minor or incompetent) has notified the Chief Administrative Officer in writing that he does not wish to receive mail from the committed person. This rule shall not be construed

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to prevent a committed person from corresponding with his children unless his parental rights have been terminated.

- j) If a committed person is prohibited from sending a letter or portions thereof, he shall be informed in writing of the decision.
- k) Material from a letter which violates Section 525.130(h) of this Subpart may be placed in a committed person's master file.
- l) Committed persons may not send packages without approval of the Chief Administrative Officer, whose decision shall be based on administrative, safety, and security considerations.

(Source: Amended at 16 Ill. Reg. _____, effective _____)

Section 525.140 Incoming Mail

- a) Incoming privileged mail must be clearly marked as "privileged" and be clearly marked with the name, title and address of the sender.
- b) Incoming privileged mail may be opened in the presence of the committed person to whom it is addressed to inspect for contraband, to verify the identity of the sender, and to determine that nothing other than legal or official matter is enclosed.

- c) Incoming privileged mail may contain communications only from the privileged correspondent whose name and address appear on the envelope. If non-privileged material or correspondence from a third party is found to be enclosed, such material shall be treated as non-privileged mail.

- d) All incoming non-privileged mail, including mail from clerks of courts, shall be opened and inspected for contraband.

- e) Cashier's checks, money orders and business checks subject to the restrictions imposed by 20 Ill. Adm. Code 205 shall be deposited in the committed person's trust fund account, with a record made of the sender's name, the amount received, and the date. For purposes of this Section a business check shall mean a check written on any agency or firm's account and any check written on an employer's personal account for wages due a person assigned to the Community Services Division. The committed person shall be notified of all monies received and deposited in his trust fund account. However, any checks or money orders which exceed the limitation on the amounts (20 Ill. Adm. Code 205) shall be returned to the sender and the committed person shall be notified.

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- f) Personal checks and cash shall be returned to the sender and the sender shall be notified that funds cannot be received in that form.

- g) Correctional officials may spot check and read incoming non-privileged mail. Incoming mail or portions thereof may be inspected, reproduced, or withheld from delivery for any of the reasons listed in Section 525.130(h) of this Subpart or if determined to be obscene by the Publications Review Committee in accordance with Subpart C of this Part.

- h) When a committed person is prohibited from receiving a letter or portions thereof, the committed person and the sender shall be notified in writing of the decision.

- i) If a committed person has been transferred or released, first class mail shall be forwarded to him if his address is known. If no forwarding address is available, the mail shall be returned to the sender.

- j) If a committed person has been absent from the facility on a furlough or pursuant to writ, his mail shall be held at the facility for a period of one month, unless the committed person has made a written request to the Chief Administrative Officer to have his mail forwarded to another address. At the conclusion of the month, first class mail shall be forwarded to the committed person's address, if known, or returned to the sender, unless alternative arrangements have been made.

- k) Committed persons may receive books and periodicals in accordance with Subpart C of this Part, and may receive manual typewriters ordered directly from a supplier through the commissary. Committed persons in the Adult and Juvenile Divisions shall not be permitted to receive catalogs, except catalogs for books or periodicals. Other packages may be received only as approved by the Chief Administrative Officer. The contents of all packages other than packages sent from pre-approved vendors, including packages containing books and periodicals, must be clearly listed on the outside of the package. Packages which do not contain a description of the contents shall be returned to the sender. All packages shall be opened and searched prior to delivery.

(Source: Amended at 16 Ill. Reg. _____, effective _____)

Section 525.150 Telephone Privileges

- a) Telephone privileges shall be granted to the committed person in accordance with his institutional status. Each committed person

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qualifying for telephone privileges may place collect calls to anyone in the free community anywhere in the continental United States and Puerto Rico. However, calls to parolees or ex-offenders require approval by the Chief Administrative Officer.

- b) In the case of valid emergencies, such as critical illness or death in a committed person's immediate family, consideration shall be given to allowing a special telephone call, regardless of the individual's institutional status.
- c) Committed persons who are the subject of a new criminal indictment, information or complaint shall be permitted to make reasonable telephone calls to attorneys for the purpose of securing defense counsel, regardless of the individual's institutional status.
- d) All committed persons' telephone calls shall be subject to monitoring and recording at any time by departmental staff, unless prior special arrangements have been made to make or to receive confidential telephone calls to or from their attorneys.
- e) Notices shall be posted at each telephone from which committed persons are normally permitted to place calls and in the committed persons' orientation manual. The notices shall state that committed persons' telephone calls may be monitored and/or recorded.

(Source: Amended at 16 Ill. Reg. _____, effective _____)

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1) Heading of the Part: SCHOOL DISTRICT #428

2) Code Citation: 20 Ill. Adm. Code 405

3) Section Numbers: Proposed Action:

405.20 Amend

405.50 Amend

405.60 Amend

4) Statutory Authority: Implementing and authorized by Section 3-6-2 of the Unified Code of Corrections (Ill. Rev. Stat. 1989, ch. 38, par. 1003-6-2, as amended by P.A. 86-1380, effective July 1, 1991).

5) A Complete Description of the Subjects and Issues Involved: This rulemaking increases the educational prerequisites for eligibility for various educational programs. It further provides for implementation of pilot programs, upon prior notice to committed persons affected, for adult basic education with requirements contrary to those established in Section 405.50. Pilot programs are needed to assess the value and feasibility of increased educational requirements for committed persons. In addition, Section 405.60 is being amended to also include the attainment of a Special Education diploma as completion of educational requirements for persons committed to the Juvenile Division.

6) Will this proposed amendment replace an emergency rule currently in effect? No.

7) Does this rulemaking contain an automatic repeal date? Yes
X No

8) Does this proposed amendment contain incorporation by reference? No.

9) Are there any other proposed amendments pending on this Part? No.

10) Statement of Statewide Policy Objectives: Not applicable; this rulemaking does not create or expand any State mandate.

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may submit written comments to:

William H. Craine, Ph.D., Deputy Director
Illinois Department of Corrections
1301 Concordia Court
P. O. Box 19277
Springfield, Illinois 62794-9277

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All written comments received within 45 days of the date of this publication will be considered.

- 12) Initial Regulatory Flexibility Analysis: Not required; this rulemaking does not affect small businesses.

The full text of the Proposed Amendments begins on the next page:

DEPARTMENT OF CORRECTIONS
NOTICE OF PROPOSED AMENDMENTS

TITLE 20: CORRECTIONS, CRIMINAL JUSTICE, AND LAW ENFORCEMENT
CHAPTER I: DEPARTMENT OF CORRECTIONS
SUBCHAPTER d: PROGRAMS AND SERVICES

PART 405
SCHOOL DISTRICT #428

Section

405.10	Applicability
405.15	Responsibilities
405.17	Definitions
405.20	Adult and Juvenile Educational Programs
405.30	Assistance to Community Services Division
405.40	Evaluation (Repealed)
405.50	Adult Basic Education Attendance
405.55	Educational Good Conduct Credits
405.60	Juvenile Educational Attendance
405.70	Suspension of Programs

AUTHORITY: Implementing Sections 3-2-2, 3-6-2, 3-6-3, 3-8-3, 3-9-1, 3-10-2 and 3-12-3 of the Unified Code of Corrections (Ill. Rev. Stat. 1989, ch. 38, pars. 1003-2-2, 1003-6-2, 1003-8-3, 1003-9-1, 1003-10-2 and 1003-12-3, as amended by P.A. 86-1373; effective September 16, 1990 and 86-1380, effective July 1, 1991 and Section 13-40 et seq. of the Illinois School Code (Ill. Rev. Stat. 1989, ch. 122, par. 13-40 et seq.) and authorized by Sections 3-2-2 and 3-7-1 of the Unified Code of Corrections (Ill. Rev. Stat. 1989, ch. 38, par. 1003-2-2 and 1003-7-1).

SOURCE: Adopted at 8 Ill. Reg. 14624, effective August 1, 1984; amended at 11 Ill. Reg. 2742, effective February 1, 1987; emergency amendments at 14 Ill. Reg. 19389, effective December 1, 1990, for a maximum of 150 days; amended at 15 Ill. Reg. 5642, effective April 15, 1991; amended at 16 Ill. Reg. _____, effective _____.

Section 405.20 Adult and Juvenile Educational Programs

- a) The opportunity for educational programs shall be available in the Adult and Juvenile Divisions through the Department of Corrections School District #428. Nothing in this Part shall be construed to require educational opportunities for all committed persons, except as otherwise provided in Section 405.60.

1) Adult Division educational programs shall include:

- A) Adult basic education and General Educational Development (G.E.D.) training;
B) Special education;

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- C) Vocational education and career counseling; and
 - D) Post-secondary education, where possible.
- 2) Juvenile Division educational programs shall include:

- A) Basic education and G.E.D.;
- B) High school credits;
- C) Special education;
- D) Vocational education; and
- E) Post-secondary education, where possible.

b) Committed persons shall, upon request, be considered for enrollment in an educational program for which they are eligible or placement on the waiting list for the program if one exists. Waiting lists shall be maintained in chronological order.

c) In determining eligibility for enrollment in educational programs the Department shall consider, among other factors, the committed person's composite scores on achievement tests, the safety and security of the facility or any person, staff recommendations, requirements for admission to specific programs, administrative concerns, and the committed person's institutional behavior, disciplinary record, educational record, projected release date, and medical and mental health status.

d) In the Adult Division, committed persons may be eligible to enroll in:

- 1) Adult Basic Education if they test below the 6-0 8.0 grade level.
- 2) G.E.D. training if they test at the 6-0 8.0 grade level or above and they do not have a verified GED certificate or a High School diploma.
- 3) Special education regardless of test scores.
- 4) School District #428 vocational education regardless of test scores.
- 5) College vocational programs if they test at the 6-0 grade level or above and the college policy permits admission have a

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verified GED certificate or High School diploma or as otherwise approved in writing by the Superintendent.

6) Two-year college degree academic programs if they have a verified GED certificate or High School diploma.

7) Four-year college degree academic programs if they have a verified GED certificate or High School diploma, and they have 30 hours of college transfer credit.

e) In the Juvenile Division, committed persons may be eligible to enroll in:

- 1) Basic Education if they test below the 6-0 8.0 grade level.
- 2) G.E.D. Training if they test at the 6-0 8.0 grade level or above and they do not have a verified GED certificate, Special Education diploma, or High School diploma.
- 3) High School credits if they test at the 6-0 8.0 grade level or above and they do not have a verified GED certificate, Special Education diploma, or High School diploma.
- 4) Special Education regardless of test scores.
- 5) School District #428 vocational education if they test at the 3.0 grade level or above.
- 6) College vocational programs if they test at the 6-0 grade level or above and the college policy permits admission have a verified GED certificate, Special Education diploma, or High School diploma or as otherwise approved in writing by the Superintendent.
- 7) Two-year college academic programs if they have a verified GED certificate, Special Education diploma, or High School diploma.

f) Committed persons shall be required to attend and actively participate in classes for which they are enrolled and shall be subject to discipline under 20 Ill. Adm. Code 504, unless absent due to verified illnesses, approved visits, court writs, furloughs, discipline, lockdowns, and other reasons approved by the Chief Administrative Officer. Active participation shall mean, but shall not be limited to, instances in which the committed person is attentive, responsive, and cooperative and completes assigned work.

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g) Committed persons shall adhere to attendance requirements of the educational program in which they are enrolled:

- 1) Committed persons enrolled in non-college academic programs in the Adult and Juvenile Divisions shall be required to attend and to actively participate in the number of instructional days specified to complete the program and shall not be absent from the program or shall not be documented as not actively participating in the program for more than 30 instructional days, not including days absent due to lockdowns.
- 2) Persons committed in the Community Services Division and committed persons enrolled in college academic courses shall attend scheduled classes and shall not be absent more than allowed under the requirements of the educational provider or the correctional facility policy. Committed persons shall be advised of the specific requirements of the program in which they are enrolled.
- h) Committed persons may be removed from educational programs due to:
 - 1) Disciplinary action.
 - 2) Failure to adhere to attendance requirements.
 - 3) Administrative reasons approved by the Educational Administrator or the Chief Administrative Officer including, but not limited to, disruptive behavior, lack of active participation, termination or suspension of the program, and safety and security reasons.
 - 4) The committed person's transfer to another facility or program.

(Source: Amended at 16 Ill. Reg. _____, effective _____)

Section 405.50 Adult Basic Education Attendance

- a) All persons committed to the Adult Division of the Department on or after January 1, 1987; whose period of incarceration is at least two years or more or who have been committed as sexually dangerous persons; shall be required to receive a composite achievement test score of 6.0 or greater in reading and mathematics or attend a minimum of 90 instructional days in an Adult Basic Education program for reading and mathematics,

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except : those person's identified in subsection (b) of this Section.

- b) The requirements in this Section do not apply to:
 - 1) Those persons serving life or death penalty sentences; or
 - 2) Other persons who are specifically exempted from this requirement by the Chief Administrative Officer of the facility where the committed person is assigned and the Superintendent based on, but not limited to, security or health reasons, the facility's inability to meet the committed person's unique educational needs, or the facility's inability to provide or complete instruction in the time remaining prior to the committed person's release or discharge date; or
 - 3) Those persons who, upon completion of 45 instructional days, have received a the required composite achievement test score of 6.0; ; or
 - 4) Technical violators who have previously completed the 90 instructional day program and who received the required composite achievement test score upon completion of the program.
- b)---The requirements in this Section do not apply to technical violators who have previously completed the 90 instructional day program and who scored 6.0 or greater upon completion of the program.
- c) Credit for class attendance shall only be given by the Educational Administrator for those days in which the committed person actively participates in the program in accordance with Section 405.20(f).
- d) Where a committed person's 90 instructional day program has been terminated due to excessive absenteeism in accordance with Section 405.20(g) and (h), the 90 instructional day program shall recommence with no credit given for days previously attended.
- e) When a committed person is transferred to another facility prior to completion of the program, a record of the person's attendance shall be submitted to the receiving facility. His program shall be continued at the receiving facility, whenever feasible, upon enrollment in the program or the committed person shall be placed on a waiting list if one exists, unless the committed person is no longer required to participate in the program in accordance with

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Section 405.50(a) subsection (b) of this Section.

C) Who were enrolled and attending the required Adult Basic Education program at the facility prior to commencement of the pilot program, provided they continue through completion of the program.

f) Refusal by any committed person to attend the Adult Basic Education program required by this Section shall constitute grounds for disciplinary action in accordance with 20 Ill. Adm. Code 504.Subpart A.

g) Upon completion of the 90 instructional day program, the committed person shall be retested, and if a composite score of at least 6-0- the required composite achievement test score is not received, the person shall be encouraged, but not required, to remain in an educational program.

h) Committed persons subject to the provisions of this Section who have not attained the 6-0 required achievement level shall not be eligible for any job assignment pay that exceeds the level of pay received for attendance in the Adult Basic Education program, unless an exemption is granted by the Chief Administrative Officer and the Superintendent due to the committed person's educational handicap, documented by his educational records, which would preclude any reasonable expectation that the committed person could attain a 6-0 the required achievement level; the projected length of time the committed person may have to wait prior to enrollment in the Adult Basic Education Program; or the reasons provided in subsection (a){2} (b) of this Section; or as otherwise approved by the Department.

i) The Department may conduct pilot programs to determine the value and feasibility of implementing increased educational requirements of committed persons. All provisions of this Section shall apply to pilot programs, except the Department may increase the educational achievement level and attendance requirements.

1) Committed persons affected by the pilot program shall be informed in writing of the educational achievement level and attendance requirements of the program.

2) The requirements of a pilot program shall apply to all committed persons who are assigned to a facility designated for the pilot program, except for those persons:

A) Specified in subsection (b) of this Section;

B) Who have previously completed the Adult Basic Education Program required by this Section, regardless of the educational level achieved; or

(Source: Amended at 16 Ill. Reg. _____, effective _____)

Section 405.60 Juvenile Educational Attendance

a) All persons committed to the Juvenile Division of the Department who have not received their High School diploma, Special Education diploma, or G.E.D. certificate shall be required to participate in an educational program, unless specifically exempted by the Chief Administrative Officer and the Superintendent. The exemption shall be based on, but not limited to, health, safety or security reasons, and resources available.

b) The extent and length of the educational program shall be based, among other factors, upon the needs and characteristics of the committed person, resources available, availability of programs, administrative concerns, and safety and security of the facility or any person.

(Source: Amended at 16 Ill. Reg. _____, effective _____)

ILLINOIS HOUSING DEVELOPMENT AUTHORITY

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of Part: Low-Income Housing Tax Credit Allocation
- 2) Code Citation: 47 Ill. Adm. Code 350
- 3) Section Numbers: Proposed Action:
350.213 New Section
- 4) Statutory Authority: Sections 7.19, 7.24(g) and 7.25 of the Illinois Housing Development Act (Ill. Rev. Stat. 1989, ch 67 1/2, pars. 307.19 307.24(g) and 307.25).

5) A Complete Description of the Subjects and Issues Involved: This rulemaking establishes the procedures for monitoring compliance with Federal law for projects which have been allocated low income housing tax credit dollars.

6) Will the proposed amendment replace an emergency rule currently in effect? Yes

7) Does this proposed amendment contain an automatic repeal date? No

8) Does this proposed amendment contain incorporations by reference?
No

9) Are there any other rules pending on this Part? No

10) Statement of Statewide Policy Objectives: The proposed amendment is intended to establish the procedures for monitoring compliance with Federal law for projects which have been allocated low income housing tax credit dollars.

11) Time, Place and Manner in which interested persons may comment on these proposed amendments: Interested parties may submit comments, data, views or arguments concerning this rulemaking in writing to: Diane Corbett, 401 N. Michigan Ave., Suite 900, Chicago, Illinois 60611. The Authority will consider all written comments received at the above address within 45 days of the date of publication of this notice.

12) Initial Regulatory Flexibility Analysis:

- A) Date amendment was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: March 2, 1992.
- B) Types of small businesses affected: Proposed amendment will have a favorable impact on small to midsize real estate developers and contractors.

ILLINOIS HOUSING DEVELOPMENT AUTHORITY

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- C) Reporting, bookkeeping or other procedures required for compliance: No new requirements.
- D) Types of professional skills necessary for compliance: No new professional skills needed.

The text of the Proposed Amendment is identical to the text of the Emergency Amendment appearing on page 5371 of this issue of the Illinois Register.

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF PROPOSED REPEALER1) Heading of the Part:

Financial and Economic Feasibility Review and Evaluation Plan

2) Code Citation:

77 Ill. Adm. Code 1230

3) Section Numbers:Proposed Action:

1230.10 Repealed
1230.20 Repealed
1230.30 Repealed
1230.110 Repealed
1230.120 Repealed
1230.210 Repealed
1230.220 Repealed
1230.230 Repealed
1230.240 Repealed
1230.250 Repealed
1230.260 Repealed
1230.310 Repealed
1230.320 Repealed
1230.410 Repealed
1230.420 Repealed
1230.TABLE A Repealed
1230.TABLE B Repealed

4) Statutory Authority:

Ill. Health Facilities Planning Act
Ill. Rev. Stat. 1989, ch. 111 1/2, par. 1151 et seq.

5) A Complete Description of the Subjects and Issues Involved:

Document to be replaced in new Part which will cover all provider types.

6) Will this Rulemaking Replace an Emergency Rule Currently in Effect? Yes ___ No ☒7) Does this Rulemaking contain an Automatic Repeal Date? Yes ___ No ☒

If "yes," please specify the date:

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF PROPOSED REPEALER8) Does this Rulemaking Contain Any Incorporations By Reference? Yes ___ No ___If "yes," please specify type: 6.02(a) ___ or 6.02(b) ☒9) Are there any other Proposed Amendments Pending on this Part? Yes ___ No ☒

If Yes:

Section NumbersProposed ActionIll. Reg. Citation10) Statement of Statewide Policy Objectives:

A reduction in the growth of health care costs through the prevention of unnecessary health care construction. No impact on local government will occur as a result of this rulemaking.

11) Time, Place, and Manner in which Interested Persons May Comment on this Rulemaking:Interested persons may present their comments concerning these rules by writing to Gail M. DeVito, Division of Governmental Affairs, Illinois Department of Public Health, 535 West Jefferson, Fifth Floor, Springfield, Illinois 62761 within 45 days after this issue of the Illinois Register.

A Public Hearing will be held on April 1, 1992 at 1:30 p.m. at the Hyatt Regency Hotel, 75 East Wacker, Chicago, IL.

These rules may have an impact on small businesses. In accordance with Sections 3.01 and 4.03 of the Illinois Administrative Procedure Act, any small business may present their comments in writing to Gail M. DeVito at the above address.

Any small business (as defined in Section 3.10 of the Illinois Administrative Procedure Act) commenting on these rules shall indicate their status as such, in writing, in their comments.

12) Initial Regulatory Flexibility Analysis:A) Date Rulemaking was Submitted to the Business Assistance Office of the Department of Commerce and Community Affairs:B) Type of Small Businesses Affected:

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF PROPOSED REPEALER

Healthcare

C) Reporting, Bookkeeping or Other Procedures Required for Compliance:

D) Types of Professional Skills Necessary for Compliance:

The full text of the Proposed Repealer begins on the next page:

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF PROPOSED REPEALER

TITLE 77: PUBLIC HEALTH
CHAPTER II: DEPARTMENT OF PUBLIC HEALTH/HEALTH FACILITIES
PLANNING BOARD
SUBCHAPTER b: OTHER BOARD RULES

PART 1230

FINANCIAL AND ECONOMIC FEASIBILITY REVIEW AND EVALUATION PLAN (Repeated)

SUBPART A: STATUTORY AUTHORITY, DEFINITIONS, APPLICABILITY
AND CLASSIFICATION

Section	Statutory Authority
1230.10	Definitions
1230.20	Applicability and Classification
1230.30	

SUBPART B: INFORMATION REQUIREMENTS

Section	Information and Documentation
1230.110	Guidelines
1230.120	

SUBPART C: FINANCIAL FEASIBILITY INFORMATION AND STANDARDS
AND CRITERIA FOR REVIEW

Section	Estimated Total Project Cost
1230.210	Documentation of Estimated Project Cost
1230.220	Anticipated Sources of Financing
1230.230	Source of Financing Documentation
1230.240	Definition of Debt Financing
1230.250	Standards and Criteria Applicable to Financial Feasibility Review
1230.260	

SUBPART D: ECONOMIC FEASIBILITY INFORMATION AND STANDARDS AND
CRITERIA FOR REVIEW

Section	Information Requirements
1230.310	Standards and Criteria Applicable to Economic Feasibility Review
1230.320	

SUBPART E: PROCEDURES APPLICABLE TO FINANCIAL AND ECONOMIC
FEASIBILITY REVIEWS

Section

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1230.410 Evaluation of Projects
1230.420 Issuance of Certificate of Need

SUBPART F: REVALIDATION PROCEDURES AND POST PERMIT REQUIREMENTS
(Repealed)

Section
1230.510 Revalidation (Repealed)
1230.520 Overruns (Repealed)
1230.530 Final Project Report (Repealed)

TABLE A Reviewability of Financial and Economic Criteria by Type of Project
TABLE B Information Table

AUTHORITY: Implementing and authorized by the Illinois Health Facilities Planning Act (Ill. Rev. Stat. 1989, ch. 111 ½, pars. 1151 et seq.).

SOURCE: Fourth Edition adopted at 6 Ill. Reg. 13761, effective October 22, 1982; codified at 8 Ill. Reg. 14283; amended at 14 Ill. Reg. 5165, effective May 1, 1990; repealed at 16 Ill. Reg. _____, effective _____.

SUBPART A: STATUTORY AUTHORITY, DEFINITIONS, APPLICABILITY
AND CLASSIFICATION

Section 1230.10 Statutory Authority

This Part is filed pursuant to Section 12 of the Illinois Health Facilities Planning Act (The Act) (Ill. Rev. Stat. 1979, ch. 111 ½, par. 1162).

Section 1230.20 Definitions

"Economic Feasibility" means that the applicant can demonstrate that the costs of financing, constructing (acquiring) and operating the proposed project are reasonable under the standards established under this Part, and that the expected impact of project operating and capital costs on the overall cost of health care, at the facility and within its service area, is reasonable to meet the needs determined to exist under the rules of the State Board.

"Financial Feasibility" means that the applicant can demonstrate that it has the funds or that it can reasonably expect to obtain funds equal to the estimated total project cost without jeopardizing the applicant's future financial viability.

Section 1230.30 Applicability and Classification

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a) This Part shall apply to all hospitals, kidney disease treatment centers, free standing hemodialysis units, ambulatory surgical treatment centers, health maintenance organizations having construction or modification projects or acquiring major medical equipment. This Part shall not apply to applications for permit classified as emergency under 77 Ill. Adm. Code 1150 or T.I.E. under 77 Ill. Adm. Code 1210.

1) All applications considered non-substantive under 77 Ill. Adm. Code 1150 shall be considered non-substantive under this Part.

2) Substantive Projects - Category A shall be considered to be projects which exceed the capital expenditure minimum (as defined in 2 Ill. Adm. Code 1925.280(a)(15)(A), Rules of Organization of the Illinois Health Facilities Planning Board) and are less than \$2,000,000.

3) Substantive Projects - Category B shall be considered to be projects which are equal to or greater than \$2,000,000.

b) All applications classified reviewable under other rules of the State Board shall be subject to review under this Part in accordance with Table A of this Part.

c) In determining financial and economic feasibility, the Agency shall consider the cumulative effects upon the applicant facility, of the following:

1) The proposed project; and

2) All previous construction or modification projects for a period of twelve months prior to the date the application is deemed complete.

3) Future financial requirements that the applicant identifies which may impact the availability of equity funds for the proposed project.

SUBPART B: INFORMATION REQUIREMENTS

Section 1230.110 Information and Documentation

The applicant shall provide such information and documentation as is required to complete the financial components of the application for permit form, such components of the form first having been prepared by the State Agency and approved by the State Board. The State Agency and/or the State Board shall seek the comments of interested parties on the format and content of this form or revisions of it.

Section 1230.120 Guidelines

The following guidelines shall be used in preparing and approving the financial information components of the application for permit form:

- a) Non-substantive projects as defined in Section 1230.30(a)(1) shall provide the information indicated in Column I of Table B.
- b) Substantive projects - Category A as defined in Section 1230.30(a)(2) shall provide the information indicated in Column II of Table B.
- c) Substantive projects - Category B as defined in Section 1230.30(a)(3) shall provide the information indicated in Column III of Table B. A feasibility study which includes financial forecasts and demand analysis may be submitted in lieu of the data requested in Table B, Items I, J, and K.
- d) The State Board or the Agency shall request such additional reasonable information and/or documentation as may be needed for purposes of evaluating the application for permit as to the requirements of this Part.

SUBPART C: FINANCIAL FEASIBILITY INFORMATION AND STANDARDS
AND CRITERIA FOR REVIEW

Section 1230.210 Estimated Total Project Cost

The applicant shall provide the following information on the estimated total project cost (completing each of the following categories as is applicable):

- a) Preplanning Costs
- b) Site Acquisition
- c) Site Survey and Soil Investigation Fees
- d) Site Preparation
- e) Off-Site Work
- f) Construction Contracts and Contingencies (Including Demolition of Existing Structure)
- g) Capital Equipment in Construction Contracts
- h) Architect's Fees
- i) Consultant's and Other Fees
- j) Capital Equipment not in Construction Contracts
- k) Bond Issuance Expenses

- l) Debt Service Reserve Fund
- m) Interest Expense During Construction
- n) Other Costs Which are to be Capitalized

Section 1230.220 Documentation of Estimated Project Cost

The applicant shall provide such documentation of the basis for the line items of the estimated total project cost as it is reasonable to do, given the stage of development of the particular project.

Section 1230.230 Anticipated Sources of Financing

The applicant shall provide the following information as to the anticipated sources of financing the project (such information to be as complete and final as the stage of development of the particular project permits):

- a) Cash and securities
- b) Pledges from fund raising:
Face value
Discounted value
- c) Gifts and bequests available for this project
- d) Bond issue (face value of all bonds to be issued)
- e) Mortgage
- f) Lease
- g) Grants
- h) Appropriations (governmental units)
- i) Other (specify)

Section 1230.240 Source of Financing Documentation

The applicant shall provide reasonable documentation of the basis for each source and amount of anticipated financing in the following manner:

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a) Cash and Securities

1) A statement documenting the amount of cash, and the identification of the security, its value, and the availability of such funds during the period of construction.

2) Interest to be earned or depreciation account funds to be earned on any asset from the date of application through the construction period may also be counted.

b) Pledges

For pledges received - the applicant shall provide a statement from the bank as to the face amount of pledges received. For pledges not received but anticipated - the applicant shall provide a letter or report as to the dollar amount feasible showing the discounted value and any conditions or actions the hospital would have to take to accomplish this goal. The time period, historical fund raising experience and major contributors also must be specified.

c) Gifts and Bequests Available for the Project

A copy of the document or a statement giving the dollar amount, identifying conditions and timing of its use, if any.

d) Bond Issue

1) For General Obligation Bonds of a governmental unit, the proof of passage of the required referendum or evidence the governmental unit has the authority to issue such bonds; provide evidence of the dollar amount of the issue and any discounting or shrinkage anticipated.

2) For Revenue Bonds - Provide as definite proof as possible (at the particular stage of project development) of the feasibility of securing the specified amount.

e) Mortgage

Provide as definite proof of the ability to secure the specified loan amount at the time it is needed, as is possible at the stage of development of the project. When possible, provide a letter from the prospective lender attesting interest and expectation to make the loan in the amount and time indicated.

f) Leases

Provide all the terms and conditions of the lease including any purchase options.

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g) Appropriations (Governmental Units)

A copy of the appropriation act or ordinance accompanied by a statement of its availability from a responsible official of the governmental unit. If funds are to be made available from subsequent fiscal years, provide a resolution or other action of the governmental unit attesting to this intent.

h) Grants

A letter from the granting agency that the applicant's projection of receiving funds of the amount indicated is realistic and feasible - both as to amount and time.

i) All Other Funds and Sources

Documentation for the amount and type of resource at the particular stage of development of the project.

Section 1230.250 Definition of Debt Financing

Debt financing is defined as being any portion of the costs of a project which the applicant intends to finance through borrowing either at the time the project is undertaken or at any time subsequent thereto. Leasing is, for purposes of this Section, considered to be borrowing. The dollar amount of such borrowing shall be computed as the cost of the leased items had they been purchased. Portions of lease payments which are for service, insurance, or other noncapital costs shall not be counted as borrowing.

Section 1230.260 Standards and Criteria Applicable to Financial Feasibility Review

a) Financial Viability

1) The applicant's historical and projected results of operations, cash flow and financial condition shall meet or exceed the threshold levels of liquidity, profitability, and financial condition generally associated with an investment grade security such as Standard and Poor's BBB-rated facility debt issue, or Moody's Baa-rated facility debt issue.

2) The following ratios shall be used for evaluating compliance:

- A) Debt service coverage ratio "historical coverage" "projected coverage"
- B) Debt to total capitalization
- C) Debt service as a percent of net operating revenue
- D) Net margin percentage

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- E) Current ratio
- 3) Applicants not in compliance with any of the above ratios must:
- A) provide additional justification which supports a finding of financial feasibility, or
- B) evidence that another organization, public or private, shall assume the legal responsibility by guarantee or other means to meet the debt obligations should the applicant default.

b) Availability of Funds

The applicant shall provide evidence which documents the basis of each source and amount of anticipated financing as described in Section 1230.240.

SUBPART D: ECONOMIC FEASIBILITY INFORMATION AND STANDARDS AND CRITERIA FOR REVIEW

Section 1230.310 Information Requirements

The applicant shall provide, with the application for permit, the information required in Subparts B and C and such additional information and/or documentation as may be needed for purposes of evaluating the application for permit as to economic feasibility under this Part.

Section 1230.320 Standards and Criteria Applicable to Economic Feasibility Review

- a) Construction, modification, and equipment projects shall demonstrate economic feasibility as defined in Section 1230.20.

b) Reasonableness of Financing Arrangements

1) Definition

The applicant shall demonstrate that the funds for the proposed project will be provided in a manner which is consistent with cost containment, with current market trends, prudent fiscal management and with the experience of similar hospitals.

- 2) Use of Available Cash and Equivalents Available funds, such as cash and equivalents including investment securities shall be applied to the project funding prior to borrowing funds. Available cash and equivalents for this purpose include unrestricted funds and funded depreciation as currently defined by the Medicare regulations.

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- 3) Variances to Section 1230.320(b)(2)

Variance to use of available cash and equivalents shall be considered by the State Board if it finds that one or more of the following conditions exist:

A) Working Capital Needs

The applicant documents that a portion or all of the cash and equivalents must be retained in its balance sheet asset accounts in order that the current ratio does not fall below 2.0 times.

B) Future Financial Requirements

The applicant documents that there are significant future financial requirements for which it is necessary to retain cash and equivalents in its balance sheet asset accounts.

C) Cost of Investment Discounts

The applicant documents that borrowing is less costly than the liquidation of investments made prior to application submittal.

- 4) Cost of Borrowed Funds to the Applicant

Borrowed funds should be obtained at the lowest net cost available to the applicant at the time, based on the terms and conditions of the alternate forms of financing available to the applicant. These include market conditions, interest rates, term (years), financing costs, prepayment rights and other factors. If the lowest net cost available to the applicant is not selected, documentation shall be submitted which indicates that alternate forms of financing are more advantageous due to such terms as prepayment privileges, no required mortgage, access to additional indebtedness, etc.

- 5) Impact of Cost of Borrowed Funds on the Health Care Consumer

The impact of the cost of borrowed funds on the applicant's patients shall compare favorably with the cost of borrowed funds to the patients of other comparable health care facilities.

c) Reasonableness of Project Costs

1) Definition

The proposed project costs shall be reasonable and consistent with cost

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for the year following completion of the project.

- i) Annual health facility capital expense
- ii) Annual capital expense increase attributable to the project
- iii) Total health facility and project capital expense per equivalent patient day and per equivalent admission

B) Projected operating expense (excluding depreciation) for the year following completion of the project (stated in current dollars).

- i) Annual health facility operating expense
- ii) Annual operating expense change (increase or decrease) attributable to the project
- iii) Total health facility and project operating expense per equivalent patient day and per equivalent admission

C) Projected total and project expense for the year following completion (the sum of capital and operating expense items shown above).

D) Historical capital and operating expense, both in total and per equivalent patient day and per equivalent admission, for the most recent audited fiscal year.

E) Ratios expressed in current dollars of the increase in capital, operating and overall costs for the first year following project completion to these same costs for the most recent audited fiscal year. These should be expressed in total dollars and in cost per equivalent patient day and per equivalent admission.

F) The impact of the proposed project on any organizations which have a fiduciary relationship to the applicant.

3) Non-Patient Related Income Generating Services Proposed projects involving non-patient related income generating services such as doctor's offices, parking garages, etc. should be self-supporting, and should not result in increased charges to patients. If charges to patients are anticipated to increase, the applicant shall provide documentation justifying that the increase is reasonable and complies with the criteria of this Part regarding resultant operating costs.

SUBPART E: PROCEDURES APPLICABLE TO FINANCIAL AND ECONOMIC

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FEASIBILITY REVIEWS

Section 1230.410 Evaluation of Projects

In evaluating projects, the State Board shall utilize, in addition to any other information it may find relevant, data allowing for the cost comparison of the applicant's project with other similar projects.

Section 1230.420 Issuance of Certificate of Need

Upon issuing a Certificate of Need, the permit shall specify the maximum amount of capital expenditures (excluding any allowable cost overruns) to be obligated for the project.

Section 1230.TABLE A Reviewability of Financial and Economic Criteria by Type of Project

REVIEWABILITY OF FINANCIAL AND ECONOMIC CRITERIA BY TYPE OF PROJECT

Criteria	Non-Substantive Projects		Substantive Projects	
	Category A		Category B	
Financial Feasibility				
Financial Viability	No	Yes (historical ratios)	Yes	Yes
Source of Funds	Yes	Yes	Yes	Yes
Economic Feasibility				
Reasonableness of Financing Arrangements	No	Yes	Yes	Yes
Reasonableness of Project Costs	Yes	Yes	Yes	Yes
Reasonableness of Resultant Operating Costs	No	Yes (New Service Only)	Yes	Yes
Total Effect of Project on Patient Costs and Charges	No	No	No	Yes

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Section 1230. TABLE B Information Table

	I	II	III	(K)		(L)
(A) Estimated total project cost				projections		
(B) Sources of financing	X	X	X	Service area demand data including historical		X
(C) Operating costs and resources requirements	X	X	X	and projected population of the primary and		
by cost center and type of staff related				secondary service area as defined by the		
to the project in current dollars				institution and percentage distribution of		
1. For certain new services				existing admissions from such primary service		X
2. For existing services				area		
Previous three years audited financial statements:				Estimated cost of major equipment to include:		
1. Balance Sheets		X	X	Proposals by vendors, supported by proposed		
2. Income Statement		X	X	purchase agreements when available, and criteria		
3. Changes in Fund Balances		X	X	for choice of vendors and systems	X	X
4. Change in Financial Position		X	X			
(E) Estimated terms and conditions of debt financing						
including leasing arrangements and covenants of						
existing debt obligations		X	X			
(F) Estimated depreciation and amortization costs		X	X			
(G) Construction cost and square feet by department		X	X			
and by building system including project and						
construction schedule and inflation rate assumptions	X	X	X			
(H) Statement of patient statistics including at least						
admissions, patient days by service, average bed						
capacity by service, average occupancy rate by						
service, average length of stay, net revenue and						
patient days by source of payment						
(1) Three years historical		X	X			
(2) Current year through the first full fiscal						
year following anticipated completion of the						
project			X			
(I) Projected annual financial statements for a period						
extending from the current year through the first						
full fiscal year after project completion,						
including balance sheets, income statements,						
changes in financial position statements			X			
(J) Discussion of the assumptions used in the						
projections of patient statistics and financial						
statements to include the following:						
1. Assumptions used to arrive at projections			X			
2. Bases underlying the assumptions used			X			
3. Substantiation of data, formulae, and						
references employed in the assumptions			X			
4. Methodology used tying assumptions to						

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- 1) Heading of the Part:
Health Facilities Planning Financial and Economic Feasibility Review

- 2) Code Citation:
77 Ill. Adm. Code 1120

- 3) Section Numbers:
1120.10 New Section
1120.20 New Section
1120.110 New Section
1120.120 New Section
1120.130 New Section
1120.210 New Section
1120.310 New Section
1120.Appendix A New Section

- 4) Statutory Authority:
Illinois Health Facilities Planning Act
Ill. Rev. Stat. 1989, ch. 111 1/2, par. 1151 et seq.
- 5) A Complete Description of the Subjects and Issues Involved:

Part 1120 represents a new series of financial and economic review criteria. This Part replaces Parts 1230 and 1240 and applies to all health care facilities subject to review.

- 6) Will this Rulemaking Replace an Emergency Rule Currently in Effect? Yes ___ No ✓
- 7) Does this Rulemaking contain an Automatic Repeal Date? Yes ___ No ✓

If "yes," please specify the date:

- 8) Does this Rulemaking Contain Any Incorporations By Reference? Yes ___ No ✓

If "yes," please specify type: 6.02(a) ___ or 6.02(b) ___

- 9) Are there any other Proposed Amendments Pending on this Part? Yes ___ No ✓

If Yes:

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<u>Section Numbers</u>	<u>Proposed Action</u>	<u>Ill. Reg. Citation</u>
------------------------	------------------------	---------------------------

- 10) Statement of Statewide Policy Objectives:

A reduction in the growth of healthcare costs through the prevention of unnecessary healthcare construction. No impact on local government will occur as a result of this rulemaking.

- 11) Time, Place, and Manner in which Interested Persons May Comment on this Rulemaking:

Interested persons may present their comments concerning these rules by writing to Gail M. DeVito, Division of Governmental Affairs, Illinois Department of Public Health, 535 West Jefferson, Fifth Floor, Springfield, Illinois 62761 within 45 days after this issue of the Illinois Register.

A Public Hearing will be held on April 1, 1992 at 1:30 p.m. at the Hyatt Regency Hotel, 151 East Wacker, Chicago, IL.

These rules may have an impact on small businesses. In accordance with Sections 3.01 and 4.03 of the Illinois Administrative Procedure Act, any small business may present their comments in writing to Gail M. DeVito at the above address.

Any small business (as defined in Section 3.10 of the Illinois Administrative Procedure Act) commenting on these rules shall indicate their status as such, in writing, in their comments.

- 12) Initial Regulatory Flexibility Analysis:

- A) Date Rulemaking was Submitted to the Business Assistance Office of the Department of Commerce and Community Affairs:

- B) Type of Small Businesses Affected:

Healthcare

- C) Reporting, Bookkeeping or Other Procedures Required for Compliance:

N/A

- D) Types of Professional Skills Necessary for Compliance:

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N/A

The full text of the Proposed Rules begins on the next page:

DEPARTMENT OF PUBLIC HEALTH/HEALTH FACILITIES PLANNING BOARD

NOTICE OF PROPOSED RULES

TITLE 77: PUBLIC HEALTH
CHAPTER II: DEPARTMENT OF PUBLIC HEALTH/
HEALTH FACILITIES PLANNING BOARD
SUBCHAPTER B: OTHER BOARD RULES

PART 1120

HEALTH FACILITIES PLANNING FINANCIAL AND ECONOMIC FEASIBILITY REVIEW

SUBPART A: STATUTORY AUTHORITY, DEFINITIONS, APPLICABILITY AND REVIEW
REQUIREMENTS

Section
1120.10 Statutory Authority and Definitions
1120.20 Applicability and Review Requirements

SUBPART B: INFORMATION REQUIREMENTS

Section
1120.110 Project and Related Cost Data
1120.120 Information Requirements for Financial Feasibility
1120.130 Information Requirements for Economic Feasibility

SUBPART C: FINANCIAL FEASIBILITY REVIEW CRITERIA

Section
1120.210 Financial Feasibility Review Criteria

SUBPART D: ECONOMIC FEASIBILITY REVIEW CRITERIA

Section
1120.310 Economic Feasibility Review Criteria
1120.APPENDIX A Financial and Economic Review Standards

AUTHORITY: Implementing and authorized by the Illinois Health Facilities Planning Act (Ill. Rev. Stat. 1989, ch. 111 ½, pars. 1151 et seq.).

SOURCE: Adopted at 16 Ill. Reg. _____, effective _____.

NOTE: Capitalization denotes statutory language or paraphrase thereof.

SUBPART A: STATUTORY AUTHORITY, DEFINITIONS, APPLICABILITY AND REVIEW
REQUIREMENTS

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Section 1120.10 Statutory Authority and Definitions

a) Statutory Authority

This Part is filed pursuant to Section 12 of the Illinois Health Facilities Planning Act (Ill. Rev. Stat. 1989, ch. 111 ½, par. 1162). A public hearing on this Part was held in accordance with the provisions of Section 12 of the Act. The Executive Secretary maintains a record of the public hearing on this Part. Copies of the public hearing record are available for inspection at the offices of the State Board at 525-535 West Jefferson Street, Springfield, IL 62761.

b) Definitions

- 1) "Debt Financing" means all or any portion of project costs financed through borrowing. Leasing is for purposes of this Part considered to be borrowing. Portions of lease payments which are for service, insurance, or other noncapital costs are not considered borrowing.
- 2) "Economically Feasible" means the costs of financing, constructing, acquiring, and operating a proposed project are reasonable and the expected impact of the project's operating and capital costs on the overall costs of health care are reasonable.
- 3) "Estimated Total Project Cost" means the dollar amount of all expenditures or other transactions required to complete a project. Such amount includes all items that are to be capitalized and also includes the fair market value of any items which may be acquired through lease, donation, gift or other means.
- 4) "Financially Feasible" means that funds are available or will be obtained equal to or in excess of the estimated total project and related costs without jeopardizing the applicant's financial viability.

Section 1120.20 Applicability and Review Requirements

a) Applicability

The State Board shall review applications for permit to determine financial and economic feasibility pursuant to the standards and criteria of this Part. All applications shall be subject to this Part except for:

- 1) those applications which are classified as emergency under 77 Ill. Adm. Code 1130; or
- 2) those applications which are solely for discontinuation provided that the

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discontinuation has no cost; or

- 3) those applications which are solely for the establishment of the acute care beds certified for extended care category of service provided the establishment has no cost; or
- 4) those applications which have been deemed complete pursuant to the provisions of Part 1130 prior to the effective date of this Part.

b) Review Category

- 1) Applications for permit submitted by persons other than the Department of Mental Health and Developmental Disabilities and the Department of Veterans Affairs shall be categorized as Category A, B, or C pursuant to the following:
 - A) Category A--applications which have no project cost or an estimated total project cost below \$2 million and which do NOT propose the establishment of a new category of service or of a health care facility;
 - B) Category B--applications which have no project cost or an estimated total project cost below \$2 million and which propose the establishment of a new category of service or of a health care facility;
 - C) Category C--applications which have an estimated total project cost of \$2 million or more.
- 2) Applications submitted by the Department of Mental Health and Developmental Disabilities and by the Department of Veterans Affairs shall not be categorized. Those applications must provide the information required by Sections 1120.110 and 1120.120, and be reviewed for conformance with the review criteria of Section 1120.210.b and 1120.310.d.

c) Information Requirements

Applicants other than the Departments of Veterans Affairs and Mental Health and Developmental Disabilities must provide the information specified in Table I according to the application's review category.

Table I

Information Requirements	Review Category		
	A	B	C
Project Cost Data (Section 1120.110)	Yes	Yes	Yes

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Sources and Uses of Funds (Section 1120.120)	Yes	Yes	Yes
Historical Financial Statements (Section 1120.130.a)	Yes	Yes	Yes
Depreciation and Amortization (Section 1120.130.b)	No	Yes	Yes
Historical and Projected Patient Statistics (Section 1120.130.c)	No	Yes	Yes
Projected Financial Statements (Section 1120.130.d)	No	Yes*	Yes
Assumptions (Section 1120.130.e)	No	Yes	Yes
Projected Capital Costs (Section 1120.130.f)	No	No	Yes
Projected Operating Costs (Section 1120.130.g)	No	Yes	Yes
Projected Capital and Operating Costs (Section 1120.130.h)	No	No	Yes

*Applies only to applications proposing to establish health care facilities.

d) Review Criteria

Category A, B, and C applications will be reviewed for conformance with the applicable review criteria specified in Table II.

Table II

Applicable Review Criteria	Review Category		
	A	B	C
Financial Viability (Section 1120.210.a)	Yes*	Yes*	Yes*
Availability of Funds (Section 1120.210.b)	Yes	Yes	Yes
Start Up Costs (Section 1120.210.c)	No	Yes	Yes
Reasonableness of Financing Arrangements (Section 1120.310.a)	No	Yes	Yes
Terms of Debt Financing (Section 1120.310.b)	Yes	Yes	Yes
Costs of Debt Financing (Section 1120.310.c)	No	Yes	Yes

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Reasonableness of Project Costs (Section 1120.310.d)	Yes	Yes	Yes
Reasonableness of Resultant Operating Costs (Section 1120.310.e)	No	Yes	Yes
Total Effect on Capital Costs (Section 1120.310.f)	No	No	Yes
Non-Patient Related Services (Section 1120.310.g)	No	No	Yes

*Applies only to applications for which the applicant has \$1 million or more of capital assets.

SUBPART B: INFORMATION REQUIREMENTS

Section 1120.110 Project and Related Cost Data

a) Estimated Total Project Cost

The applicant shall provide project cost information for each of the following components as is applicable. When a project or any component of a project is to be accomplished by lease, donation, gift or any other means, the fair market value or dollar value which would have been required for purchase, construction, or acquisition shall be included in the estimated total project cost.

- 1) Preplanning costs;
- 2) Site survey and soil investigation fees;
- 3) Site preparation including demolition of existing structure(s);
- 4) Off-site work;
- 5) Construction and modernization contracts including fixed equipment;
- 6) Contingencies;
- 7) Architectural fees;
- 8) Consulting and other fees;
- 9) Movable capital equipment not in construction contracts;
- 10) Bond issuance expense;

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- 11) Net interest expense during construction;
- 12) Other costs which are to be capitalized; and
- 13) Acquisition of buildings or other property.

b) Related Cost Data

1) Land Acquisition Cost

The applicant shall provide the purchase price or fair market value, whichever is applicable, for the acquisition of land that is required in order to undertake the project. Acquisition of land is not a capital expenditure and is not included as part of project costs.

2) Start-up Costs

The applicant shall provide a schedule of estimated start-up costs and an estimate of any initial operating deficit.

3) Construction and Modernization Costs and Schedule

The applicant shall provide construction and modernization costs on the basis of cost per square foot and a construction schedule which shows dollar expenditures by month and year through project completion.

Section 1120.120 Information Requirements for Financial Feasibility

a) Cash and Securities

The applicant must provide statements (e.g. audited financial statements, letters from financial institutions, board resolutions) as to the amount of cash and securities available for the project. The applicant must provide the identification of any security, its value, and availability of such funds. Interest to be earned or depreciation account funds to be earned on any asset from the date of application submittal through project completion are also considered cash.

b) Pledges

For pledges made but not received, the applicant must provide a statement from the financial institution as to the face amount of the pledges. For anticipated pledges, the applicant must provide a letter or report as to the dollar amount feasible showing the discounted value and any conditions or action the applicant would have to take to accomplish this goal. The time period, historical fund raising experience and major

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contributors also must be specified.

c) Gifts and Bequests

For gifts and bequests available for the project, the applicant must provide verification of the dollar amount and identify any conditions and timing of its use.

d) Debt Financing

The applicant must provide the terms and conditions for existing debt including leases, covenants of existing debt obligations and debt service reserve funds. The applicant must also provide the estimated terms and conditions for the following types of debt financing proposed to fund the project:

- 1) For general obligation bonds, the applicant must provide proof of passage of the required referendum or evidence that the governmental unit has the authority to issue such bonds and also provide evidence of the dollar amount of the issue and any discounting or shrinkage anticipated;
- 2) For revenue bonds, the applicant must provide proof of the feasibility of securing the specified amount;
- 3) For mortgages, the applicant must provide a letter from the prospective lender attesting to the expectation of making the loan in the amount and time indicated;
- 4) For leases, the applicant must provide a copy of the lease including all the terms and conditions of the lease including any purchase options.

e) Governmental Appropriations

The applicant must provide a copy of the appropriation act or ordinance accompanied by a statement of funding availability from an official of the governmental unit. If funds are to be made available from subsequent fiscal years, the applicant must provide a resolution or other action of the governmental unit attesting to this intent.

f) Grants

The applicant must provide a letter from the granting agency as to the availability of funds in terms of the amount and time of receipt.

g) All Other Funds and Sources

The applicant must provide verification of the amount and type of any other funds that will be used for the project.

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Section 1120.130 Information Requirements for Economic Feasibility

a) Historical Financial Statements

The applicant must provide the most recent three years' audited financial statements including the following:

- 1) Balance sheet;
- 2) Income statement;
- 3) Changes in fund balance; and
- 4) Change in financial position.

b) Depreciation and Amortization

The applicant must provide estimated depreciation and amortization costs and schedule for the project.

c) Historical and Projected Patient Statistics

The applicant must provide a statement of patient statistics including at least patient days by level of care, beds by level of care, net revenue and patient days by source of payment for three years historical through the first full fiscal year after project completion or for the first full fiscal year when the project achieves or exceeds target utilization pursuant to Part 1100, whichever is later.

d) Projected Financial Statements

The applicant must provide projected annual financial statements including balance sheets, income statements, and changes in financial position for a period extending from the latest audited fiscal year through:

- 1) the first full fiscal year after project completion; or
- 2) for the first full fiscal year when the project achieves or exceeds target utilization pursuant to Part 1100, whichever is later.

e) Assumptions

The applicant must provide the assumptions used in the projections of patient statistics and financial statements including the following:

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- 1) Basis underlying the assumptions;
- 2) Substantiation of data, formulae, and references employed in the assumptions.

f) Projected Capital Costs

1) The applicant must provide projected capital costs including:

- A) Annual capital costs; and
- B) Annual capital costs increase attributable to the project.

2) The projected capital costs shall be for the following period

- A) the first full fiscal year after project completion; or
- B) the first full fiscal year when the project achieves or exceeds target utilization pursuant to Part 1100, whichever is later.

g) Projected Operating Costs

The applicant must provide projected operating costs (excluding depreciation and stated in current dollars based on the full-time equivalents (FTE's) and other resource requirements) for the first full fiscal year after project completion or the first full fiscal year when the project achieves or exceeds target utilization pursuant to Part 1100, whichever is later, including:

- 1) Annual operating costs; and
- 2) Annual operating costs change (increase or decrease) attributable to the project.

h) Projected Capital and Operating Costs

The applicant must provide the projected total costs (the sum of capital and operating costs items from f) and g) above) for the first full fiscal year after project completion or the first full fiscal year when the project achieves or exceeds target utilization pursuant to Part 1100, whichever is later.

SUBPART C: FINANCIAL FEASIBILITY REVIEW CRITERIA

Section 1120.210 Financial Feasibility Review Criteria

- a) Financial Viability--Review Criterion

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1) Viability Ratios

Applicants who have \$1 million or more in capital assets must document compliance with viability ratio standards detailed in Appendix A or address a variance. Applicants must document compliance for the most recent three years for which audited financial statements are available. For category C applications, the applicant also must document compliance through the first full fiscal year after project completion or for the first full fiscal year when the project achieves or exceeds target utilization pursuant to Part 1100 whichever is later, or address a variance.

AGENCY NOTE: Applicants with less than \$1 million in capital assets are not subject to this criterion.

2) Variance for Applications Not Meeting Ratios

Applicants not in compliance with any of the viability ratios must document one of the following:

- A) evidence that another organization, public or private, shall assume the legal responsibility to meet the debt obligations should the applicant default; or
- B) evidence based upon projected financial statements and assumptions that for the first full fiscal year after project completion or the first full fiscal year when the project achieves or exceeds target utilization pursuant to Part 1100, whichever is later, the applicant will meet the standards in Appendix A.

b) Availability of Funds--Review Criterion

The applicant must document that financial resources shall be available and be equal to or exceed the estimated total project cost.

c) Start-up Costs--Review Criterion

The applicant must document that financial resources shall be available and be equal to or exceed any start-up expenses and any initial operating deficit.

SUBPART D: ECONOMIC FEASIBILITY REVIEW CRITERIA

Section 1120.310 Economic Feasibility Review Criteria

a) Reasonableness of Financing Arrangements--Review Criterion

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The applicant must document that the project will be funded with cash and equivalents including investment securities, unrestricted funds, and funded depreciation as currently defined by the Medicare regulations (42 U.S.C. 1395) unless cash and equivalents must be retained for either of the following:

- 1) a portion or all of the cash and equivalents must be retained in the balance sheet asset accounts in order that the current ratio does not fall below 2.0 times; or
 - 2) borrowing is less costly than the liquidation of existing investments.
- b) Terms of Debt Financing--Review Criterion

The applicant must document that the selected form of debt financing the project will be at the lowest net cost available or if a more costly form of financing is selected, that form is more advantageous due to such terms as prepayment privileges, no required mortgage, access to additional indebtedness, term (years), financing costs, and other factors.

c) Costs of Debt Financing--Review Criterion

The applicant must document that the costs of debt financing (i.e. debt service) shall not exceed the standards detailed in Appendix A.

d) Reasonableness of Project and Related Costs--Review Criterion

1) Construction and Modernization Costs

Construction and modernization costs per square foot for non-hospital based ambulatory surgical treatment centers facilities for the developmentally disabled, and chronic renal dialysis treatment centers projects shall not exceed the standards detailed in Appendix A. For all other projects, construction and modernization costs per square foot shall not exceed the adjusted third quartile as provided for in the Means Building Construction Cost Data publication.

2) Contingencies

Contingencies (stated as a percentage of construction costs for the stage of architectural development) shall not exceed the standards detailed in Appendix A.

3) Architectural Fees

Architectural fees shall not exceed the fee schedule standards detailed in Appendix A.

4) Major Medical and Movable Equipment

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A) For each piece of major medical equipment, the applicant must document that the lowest net cost available has been selected or if not selected that the choice of higher cost equipment is justified due to such factors as but not limited to maintenance agreements, options to purchase, or greater diagnostic or therapeutic capabilities.

B) Total movable equipment costs shall not exceed the standards for equipment as detailed in Appendix A.

5) Other Project and Related Costs

The applicant must document that any preplanning, acquisition, site survey and preparation costs, debt service reserve funds, net interest expense and other estimated costs do not exceed industry norms based upon a comparison with similar projects that have been reviewed.

e) Reasonableness of Resultant Operating Cost--Review Criterion

The applicant must document that operating costs resulting from the project shall be reasonable in relation to the operating costs of comparable providers and similar services based upon cost analysis detailed in Appendix A.

f) Total Effect of the Project on Capital Costs--Review Criterion

Total projected annual capital costs (in current dollars per equivalent patient day for the first full fiscal year after project completion or the first full fiscal year when the project achieves or exceeds target utilization pursuant to Part 1100, which ever is later) shall be reasonable in comparison to comparable providers and similar services and not exceed the standards detailed in Appendix A.

g) Non-patient Related Services--Review Criterion

The applicant must document that projects involving non-patient related services (doctors' offices, parking garages, day care centers, etc.) will be self-supporting and not result in increased charges to patients or that increased charges to patients are justified based upon such factors as, but not limited to, a cost benefit or other analysis which demonstrates that the project will improve the applicant's financial viability.

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Section 1120.APPENDIX A Financial and Economic Review Standards*

Review Criterion 1120.210.a), Financial Viability

Current Ratio = Current Assets/Current Liabilities 1.5

Net Margin Percentage = Net income/Net operating revenue X 100% 3%

Percent Debt to Total Capitalization = Long-term debt/Long-term debt and unrestricted fund balance X 100% 80%

Projected Debt Service Coverage Ratio = Net Income + Depreciation + Interest + Amortization/Principal and Interest (for year of maximum debt service after project completion) 1.5

*Various ratios represent 1991 data and such ratios are inflated given the project's completion date.

Review Criterion 1120.310.c), Cost of Borrowed Funds

	Hospitals	Gen. LTC	ICF/DD	ESRD's	ASTC's
Debt Service/Patient Day	\$37.42	\$9.46	\$10.00	N/A	N/A
Debt/Bed	\$93,633	\$29,668	\$22,333	N/A	N/A
Annual Debt Service + Lease Payment/Operating Room	N/A	N/A	N/A	N/A	\$132,388

Review Criterion 1120.310.d), Reasonableness of Project and Related Costs

Construction and Modernization Costs

	Hospitals	Gen. LTC	ICF/DD	ESRD's	ASTC's
Means	Means	Means	\$62.00	\$199.76	\$82.12 (Modernization)
Third Quartile					\$127.92 (New Construction)

Contingencies

ILLINOIS REGISTER

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5221
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	New Construction 10%	Remodeling 10-15%
Working drawings/schematics		
Preliminary working drawings	7%	7-10%
Final working drawings	3-5%	5-7%

Architectural Fees

CAPITAL DEVELOPMENT BOARD
BASIC RATE AND/OR FIXED FEE SCHEDULE
FOR ARCHITECT-ENGINEER

Construction and Contingencies Cost	Hospitals and Developmental Centers	Nursing Facilities	Independent Living Apartments, Ambulatory Facilities
---	---	-----------------------	---

Up to \$300,000	11.250%	10.250%	9.250%
350,000	10.975	9.975	8.975
400,000	10.720	9.720	8.720
450,000	10.490	9.490	8.490
500,000	10.270	9.270	8.270
550,000	10.050	9.050	8.050
600,000	9.990	8.990	7.990
650,000	9.860	8.860	7.860
700,000	9.750	8.750	7.750
750,000	9.650	8.650	7.650
800,000	9.550	8.550	7.550
850,000	9.450	8.450	7.450
900,000	9.370	8.370	7.370
950,000	9.310	8.310	7.310
1,000,000	9.250	8.250	7.250
1,250,000	9.050	8.050	7.050
1,500,000	8.890	7.890	6.890
1,750,000	8.750	7.750	6.750
2,000,000	8.625	7.625	6.625
2,250,000	8.500	7.500	6.500
2,500,000	8.385	7.385	6.385
2,750,000	8.280	7.280	6.280

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3,000,000	8.180	7.180	6.180
3,250,000	8.090	7.090	6.090
3,500,000	8.015	7.015	6.015
3,750,000	7.940	6.940	5.940
4,000,000	7.870	6.870	5.870
4,250,000	7.800	6.800	5.800
4,500,000	7.740	6.740	5.740
4,750,000	7.680	6.680	5.680
5,000,000	7.620	6.620	5.620
5,250,000	7.560	6.560	5.560
5,500,000	7.510	6.510	5.510
5,750,000	7.460	6.460	5.460
6,000,000	7.415	6.415	5.415
6,250,000	7.370	6.370	5.370
6,500,000	7.330	6.330	5.330
6,750,000	7.290	6.290	5.290
7,000,000	7.250	6.250	5.250
8,000,000	7.130	6.130	5.130
9,000,000	7.050	6.050	5.050
10,000,000	7.000	6.000	5.000
12,500,000	6.930	5.940	4.950
15,000,000	6.850	5.870	4.890
17,500,000	6.770	5.810	4.840
20,000,000	6.700	5.750	4.790
22,500,000	6.620	5.680	4.750
25,000,000	6.550	5.630	4.710
27,500,000	6.460	5.560	4.650
30,000,000	6.380	5.500	4.600
32,500,000	6.310	5.440	4.550
35,000,000	6.240	5.380	4.500
37,500,000	6.160	5.310	4.460
40,000,000	6.080	5.250	4.420
42,500,000	6.010	5.200	4.360
45,000,000	5.930	5.130	4.310
47,500,000	5.850	5.070	4.260
50,000,000	5.770	5.010	4.230
52,500,000	5.700	4.940	4.170
55,000,000	5.620	4.880	4.120
57,500,000	5.550	4.820	4.070
60,000,000	5.470	4.750	4.030
62,500,000	5.400	4.700	3.970
65,000,000	5.320	4.630	3.930
67,500,000	5.240	4.560	3.880
70,000,000	5.160	4.500	3.840

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72,500,000	5,090	4,440	3,780
75,000,000	5,020	4,370	3,740
77,500,000	4,950	4,320	3,700
80,000,000	4,870	4,250	3,650
85,000,000	4,710	4,130	3,550
90,000,000	4,560	4,010	3,450
95,000,000	4,420	3,870	3,350
100,000,000	4,250	3,750	3,250

Handbook of Tables and Fee Schedule; Published by the Capital Development Board, 401 South Spring Street, Springfield, Illinois 62706.

Review Criterion 1120.310.d), Reasonableness of Project and Related Costs

Movable Equipment	Hospitals	ALL LTC	Dialysis	ASTC's
	N/A	\$2,876/bed	\$31,303/station	\$255,192/OR

Other Project and Related Costs

Preplanning--Costs shall not exceed 1.8% of construction, contingencies and equipment costs.

Site survey and preparation--Costs shall not exceed 5.0% of construction and contingency costs.

Debt service reserve fund--Costs shall not exceed the lesser of:

- 1) maximum annual principal and interest payments; or
- 2) ten percent of the total amount of the borrowing; or
- 3) One hundred twenty five percent of the average annual debt service payments.

Review Criterion 1120.310.e), Reasonableness of Resultant Operating Costs

For all categories of services pursuant to Part 1110 with the exception of general long-term care categories of service and specialized long-term care services for the developmentally disabled, projected operating costs resulting from the project shall not exceed the median value of total direct costs on a per case or procedure basis.

Comparable providers are those with similar levels of care and services, similar bed capacities and ancillary support services, and similar payor mix.

Direct costs means the fully allocated costs of salaries, benefits, and supplies for the service.

The median value for the following categories of services is:

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Open Heart Surgery	\$ 10,448	Lithotripsy	\$ 2,559
Acute Mental Illness	\$ 278	M-S/Peds	\$ 173
Rehabilitation	\$ 178	Neonatal ICU	\$ xxx
Intensive Care	\$ 512	MRI	\$ 80
Cardiac Cath.	\$ 873	Rad. Therapy	\$ 58
Substance Abuse	\$ 137	Kidney Trans.	\$ xxx
Obstetrics	\$ 207	Burn Care	\$ xxx

For all general specialized long-term care services for the developmentally disabled, operating costs shall not exceed the median values of costs calculated from the Medicaid cost reports filed with the Finance Section of the Illinois Department of Public Aid.

Review Criterion 1120.310.f), Total Effect of the Project on Capital Costs

Total Capital Expense/ Patient Day	Hospitals	Gen. LTC	ICF/DD	ASTC's
	\$81.64	N/A	N/A	N/A

NOTICE OF PROPOSED REPEALER

Heading of the Part:

1) Financial and Economic Feasibility Review and Evaluation Plan (For ALL Long-Term Care and Chronic Disease Facilities)

2) Code Citation:

77 Ill. Adm. Code 1240

3) Section Numbers:

- 1240.10 Repealed
- 1240.20 Repealed
- 1240.30 Repealed
- 1240.40 Repealed
- 1240.50 Repealed
- 1240.60 Repealed
- 1240.70 Repealed
- 1240.Appendix A Repealed

4) Statutory Authority:

Ill. Health Facilities Planning Act
Ill. Rev. Stat. 1989, ch. 111 1/2, par. 1151 et seq.

5) A Complete Description of the Subjects and Issues Involved:

Document to be replaced in new Part which will cover all provider types.

6) Will this Rulemaking Replace an Emergency Rule Currently in Effect? Yes No

7) Does this Rulemaking contain an Automatic Repeal Date? Yes No

If "yes," please specify the date:

8) Does this Rulemaking Contain Any Incorporations By Reference? Yes No

If "yes," please specify type: 6.02(a) or 6.02(b)

9) Are there any other Proposed Amendments Pending on this Part? Yes No

If Yes:

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Section Numbers Proposed Action Ill. Reg. Citation

10) Statement of Statewide Policy Objectives:

A reduction in the growth of healthcare costs through the prevention of unnecessary healthcare construction. No impact on local government will occur as a result of this rulemaking.

11) Time, Place, and Manner in which Interested Persons May Comment on this Rulemaking:

Interested persons may present their comments concerning these rules by writing to Gail M. DeVito, Division of Governmental Affairs, Illinois Department of Public Health, 535 West Jefferson, Fifth Floor, Springfield, Illinois 62761 within 45 days after this issue of the Illinois Register.

A Public Hearing will be held on April 1, 1992 at 1:30 p.m. at the Hyatt Regency Hotel, 151 East Wacker, Chicago, IL.

These rules may have an impact on small businesses. In accordance with Sections 3.01 and 4.03 of the Illinois Administrative Procedure Act, any small business may present their comments in writing to Gail M. DeVito at the above address.

Any small business (as defined in Section 3.10 of the Illinois Administrative Procedure Act) commenting on these rules shall indicate their status as such, in writing, in their comments.

12) Initial Regulatory Flexibility Analysis:

A) Date Rulemaking was Submitted to the Business Assistance Office of the Department of Commerce and Community Affairs:

B) Type of Small Businesses Affected:

Healthcare

C) Reporting, Bookkeeping or Other Procedures Required for Compliance:

N/A

D) Types of Professional Skills Necessary for Compliance:

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N/A

The full text of the Proposed Repealer begins on the next page:

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TITLE 77: PUBLIC HEALTH

CHAPTER II: DEPARTMENT OF PUBLIC HEALTH/HEALTH FACILITIES
PLANNING BOARD

SUBCHAPTER b: OTHER BOARD RULES

PART 1240

FINANCIAL AND ECONOMIC FEASIBILITY REVIEW AND EVALUATION PLAN
(FOR ALL LONG-TERM CARE AND CHRONIC DISEASE FACILITIES) (Repealed)

Section

1240.10 Statutory Authority

1240.20 Definitions

1240.30 Applicability and Classification

1240.30 Information Requirements

1240.40 Standards and Criteria Applicable to Financial Feasibility Review

1240.50 Standards and Criteria Applicable to Economic Feasibility Review

1240.60 Permit Amount

1240.70 Revalidation Procedures and Post Permit Requirements (Repealed)

1240.80 Standards and References

APPENDIX A

AUTHORITY: Implementing and authorized by the Illinois Health Facilities Planning Act (Ill. Rev. Stat. 1989, ch. 111 ½, pars. 1151 et seq.).

SOURCE: Third Edition adopted at 5 Ill. Reg. 3319, effective March 18, 1981; Fourth Edition adopted and codified at 8 Ill. Reg. 19520, effective September 28, 1984; amended at 14 Ill. Reg. 5162, effective May 1, 1990; repealed at 16 Ill. Reg. _____, effective _____.

Section 1240.10 Statutory Authority

This Part is filed pursuant to Section 12 of the Illinois Health Facilities Planning Act (The Act) (Ill. Rev. Stat. 1983, ch. 111 ½, par. 1162).

Section 1240.20 Definitions

"Debt Financing" means any portion of the costs of a project which the applicant intends to finance through borrowing either at the time the project is undertaken or at any time subsequent thereto. Leasing is, for purposes of this Part, considered to be borrowing.

The dollar amount of such borrowing shall be computed as the cost of the lease items had they been purchased. Portions of lease payments which are for service, insurance, or other non-capital costs shall not be counted as borrowing.

"Economic Feasibility" means that the applicant can demonstrate that the costs of financing, constructing (acquiring) and operating the proposed project meet the standards established under this Part, and that the expected impact of project operating and capital

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costs on the overall cost of health care, at the facility and within its service area, meets the needs determined to exist under 77 Ill. Adm. Code 1100 and 1110 or 77 Ill. Adm. Code 1210 of the State Board (as referenced in Appendix A).

"Financial Feasibility" means that the applicant can demonstrate that it has the funds or that it can obtain funds equal to the estimated total project cost without jeopardizing the applicant's future financial viability.

Section 1240.30 Applicability and Classification

- a) This Part shall apply to all construction or modification projects (including acquisition of major medical equipment) for all General or Specialized Long-Term Care Categories of Service as defined in 77 Ill. Adm. Code 1100 and 1110 and in accordance with the provisions of the Act (Ill. Rev. Stat. 1983, ch. 111 ½, pars. 1151 et seq.). This Part shall not apply to applications for discontinuation which have no capital cost or to applications classified as emergency under 77 Ill. Adm. Code 1100 and 1110. The State Agency shall evaluate all applications for permit to determine compliances with all applicable Review Criteria contained herein and shall report its findings to the State Board.

- 1) Category A - All projects for which total project cost is less than the capital expenditure minimum (as defined in 2 Ill. Adm. Code 1925.280(a)(15)(A) of the State Board).

- 2) Category B - All projects for which total project cost is equal to or greater than the capital expenditure minimum (as defined in 2 Ill. Adm. Code 1925.280(a)(15)(A) of the State Board).

- b) All applications classified reviewable under 77 Ill. Adm. Code 1100 and 1110 or 77 Ill. Adm. Code 1210 of the State Board shall be subject to review under this Part in accordance with the following table.

REVIEWABILITY OF FINANCIAL
AND ECONOMIC CRITERIA BY TYPE OF PROJECT

Criteria	Category A	Category B
<u>Financial Feasibility</u>		
Financial Viability	New Category of Service Only (as defined in 77 Ill. Adm. Code 1100 and 1110)	Yes

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Source of Funds Yes Yes

Economic Feasibility

Reasonableness of Financing Arrangements No Yes

Reasonableness of Project Costs Yes Yes

Reasonableness of Resultant Operating Costs New Category of Service Only (as defined in 77 Ill. Adm. Code 1100 and 1110) Yes

Section 1240.40 Information Requirements

- a) All applications subject to review under this Part shall provide the following information.

- 1) Estimated total project cost.
2) Sources of financing.
3) Previous three years' financial statements.

A) Balance sheet

B) Income statement

C) Changes in fund balance

D) Change in financial position

- 4) Estimated terms and conditions of debt financing including leasing arrangements and covenants of existing debt obligations.

- 5) Estimated depreciation and amortization costs for the project and the facility in total.

- 6) Construction cost on the basis of cost per square foot including inflation rate assumptions and a construction schedule which shows dollar expenditures by month and year.

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- 7) Statement of patient statistics for the entire facility including at least patient days by level of care, licensed beds by level of care, net revenue and patient days by source of payment for three years historical through the first full fiscal year following anticipated completion of the project.
- 8) Projected annual financial statements for a period extending from the current year through the first full fiscal year after project completion or from the current year through the period for which operating deficits are anticipated, whichever is longer, including balance sheets, income statements, changes in financial position.
- 9) Discussion of the assumptions used in the projections of patient statistics and financial statements to include the following:
 - A) Assumptions used to arrive at projections.
 - B) Bases underlying the assumptions used.
 - C) Substantiation of data, formulae, and references employed in the assumptions.
 - D) Methodology used tying assumptions to projections.

b) Estimated Total Project Cost:

The applicant shall provide the following information on the estimated total project cost (completing each of the following categories as is applicable):

- 1) Preplanning costs
- 2) Site acquisition
- 3) Site survey and soil investigation fees
- 4) Site preparation
- 5) Off-site work
- 6) Construction contracts and contingencies (including demolition of existing structure)
- 7) Capital equipment in construction contracts
- 8) Architect's fees
- 9) Consultant's and other fees

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- 10) Capital equipment not in construction contracts
- 11) Bond issuance expenses
- 12) Debt service reserve fund
- 13) Interest expense during construction
- 14) Other costs which are to be capitalized
- c) The applicant shall provide documentation of the basis for the line items of the estimated total project cost.
- d) Anticipated Sources of Financing:

The applicant shall provide the following information as to the anticipated sources of financing for the project (such information to be as complete and final as the stage of development of the particular project permits):

- 1) Cash and securities
- 2) Pledges from fund raising:
 - A) Face value
 - B) Discounted value
- 3) Gifts and bequests available for this project
- 4) Bond issue (face value of all bonds to be issued)
- 5) Mortgage
- 6) Lease
- 7) Grants
- 8) Appropriations (governmental units)
- e) Documentation of Financing Sources The applicant shall provide documentation of the basis for each source and amount of anticipated financing in the following manner:
 - 1) Cash and Securities

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A) A statement documenting the amount of cash, the identification of the security, its value, and the availability of such funds during the period of construction.

B) Interest to be earned or depreciation account funds to be earned on any asset from the date of application through the construction period may also be counted.

2) Pledges

For pledges received - a statement from the bank as to the face amount of pledges received. For pledges not received but anticipated - a letter or report as to the dollar amount feasible showing the discounted value and any conditions or actions the facility would have to take to accomplish this goal. The time period and historical fund raising experience also must be specified.

3) Gifts and Bequests Available for the Project

A copy of the document or a statement giving the dollar amount, and identifying conditions and timing of its use, if any.

4) Bond Issue

A) For General Obligation Bonds of a governmental unit, the proof of passage of the required referendum or evidence the governmental unit has the authority to issue such bonds; provide evidence of the dollar amount of the issue and any discounting or shrinkage anticipated.

B) For Revenue Bonds - A feasibility study or a statement as to the feasibility of securing the specified amount from the issuing authority.

5) Mortgage

A statement from a prospective lender as to the ability to secure the specified loan amount at the time it is needed.

6) Leases

A statement from the applicant documenting all the terms and conditions of the lease including any purchase options.

7) Appropriations (Governmental Units)

A copy of the appropriation act or ordinance accompanied by a statement of availability from a responsible official of the government unit. If funds are to be

DEPARTMENT OF PUBLIC HEALTH/HEALTH FACILITIES PLANNING BOARD

NOTICE OF PROPOSED REPEALER

made available from subsequent fiscal years, provide a resolution or other action of the governmental unit attesting to this intent.

8) Grants

A letter from the granting agency that the applicant's projection of receiving funds of the amount indicated is realistic and feasible - both as to amount and time.

Section 1240.50 Standards and Criteria Applicable to Financial Feasibility Review

a) Financial Viability

Financial resources shall be sufficient to cover the cost of operating the capital investment. The applicant shall provide a schedule of estimated start-up expenses (costs which are not depreciated or amortized prior to the utilization of the project) and document that financial resources are sufficient to cover such expenses. The applicant shall make a determination of future operating expenses (expenses resulting from the operation of the project) and document that financial resources will be sufficient to cover these expenses.

b) Availability of Funds

Financial resources shall be sufficient to cover the cost of acquiring the capital investment. The applicant shall provide evidence which documents the basis of each source and amount of anticipated financing as described in Section 1240.40 (e).

Section 1240.60 Standards and Criteria Applicable to Economic Feasibility Review

a) Capital Financing Arrangements

The applicant shall demonstrate that the funds for the proposed project will be provided in a manner which is consistent with cost containment, with current market trends, with prudent fiscal management and with the experience of similar facilities. Compliance will be determined in accordance with all of the following criteria.

1)

A) Available funds, such as cash and equivalents including investment securities shall be applied to the project funding prior to borrowing funds. Available cash and equivalents for this purpose include unrestricted funds and funded depreciation.

i) "Unrestricted funds" are those which may be used for any purpose and are not restricted for a specific purpose designated

DEPARTMENT OF PUBLIC HEALTH/HEALTH FACILITIES PLANNING BOARD

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by the donor.

- ii) "Funding of Depreciation" is the practice of placing funds in a segregated account(s) for the acquisition of depreciable assets used in rendering patient care.

B) Variance to the use of available cash and equivalents shall be considered to be met by the State Board if it finds that one or more of the following conditions exist:

- i) The applicant documents that a portion or all of the cash and equivalents must be retained in its balance sheet asset accounts in order that the current ratio (current assets divided by current liabilities) does not fall below 2.0.
- ii) The applicant documents that there are future financial requirements for which it is necessary to retain cash and equivalents in its balance sheet asset accounts.
- iii) The applicant documents that borrowing is less costly than the liquidation of investments made prior to application submittal.

2) Borrowed funds should be obtained at the lowest net cost based on the terms and conditions of financing available to the applicant. These include market conditions, interest rates, term (years), financing costs, prepayment rights and other factors. If the lowest net cost available to the applicant is not selected, documentation shall be submitted which indicates that alternate forms of financing are more advantageous due to such terms as prepayment privileges, no required mortgage, access to additional indebtedness, etc.

3) The impact of the cost of borrowed funds to the applicant's patients shall compare favorably with the cost of borrowed funds to the patients of other health care facilities by not exceeding the 3rd Quartile ratios of debt service per patient day and debt per bed. The current ratios are provided in Appendix A.

b) Reasonableness of Project Costs

The individual components of the total project cost shall be reasonable. The following provides the basis for evaluating the reasonableness of the proposed project costs. The standards utilized by the State Agency in this evaluation are provided in Appendix A.

- 1) Construction costs shall be evaluated on the basis of cost per square foot. The Agency shall adjust the cost for such factors as location, inflation, project size, and mix of services. The cost per square foot shall not exceed the adjusted

DEPARTMENT OF PUBLIC HEALTH/HEALTH FACILITIES PLANNING BOARD

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"high-average" cost of the "Dodge" report.

- 2) Total movable equipment costs shall compare favorably with the equipment costs of other facilities by not exceeding the 3rd Quartile ratios of equipment per bed as provided in Appendix A.

3) Architect fees shall not exceed the fee schedule as provided in Appendix A.

4) Contingencies (unforeseen costs) have generally been consistent with the following guidelines. Project contingencies shall not exceed the maximum range of the following guidelines:

	New Construction	Remodeling
Work drawing or schematic stage	10%	10%-15%
Preliminary working drawing stage	7%	7-10%
Final working drawing stage	3-5%	5-7%

- 5) The applicant shall provide the bases for other project costs including preplanning, site acquisition and site survey and preparation. Acceptable bases include, but are not limited to, market valuation studies, appraisals and vendor cost quotations.

c) Reasonableness of Resultant Operating Costs

The operating costs resulting from the project shall be consistent with the operating costs of comparable providers with similar services by not exceeding the median values of costs calculated from the Medicaid cost reports filed with the Finance Section of the Illinois Department of Public Aid. Comparable providers are those with similar levels of care and services, similar bed capacities and ancillary support services, and similar payor mix.

Section 1240.70 Permit Amount

The permit shall specify the maximum amount of capital expenditures (excluding any allowable cost overruns) to be obligated for the project.

Section 1240.APPENDIX A Standards and References

The following are the standards and references utilized by the State Agency in conducting its review under Part 1240.

DEPARTMENT OF PUBLIC HEALTH/HEALTH FACILITIES PLANNING BOARD

DEPARTMENT OF PUBLIC HEALTH/HEALTH FACILITIES PLANNING BOARD

NOTICE OF PROPOSED REPEALER

NOTICE OF PROPOSED REPEALER

Sections 1240.20(b),
1240.30(b) and
1240.80(b)

77 Ill. Adm. Code 1100 and 1110, the Illinois Health Care Facilities Plan, and 77 Ill. Adm. Code 1210 Standards and Criteria for Review of Applications for Permit for Technologically Innovative Equipment or Innovative Programs; Rules of the Illinois Department of Public Health as adopted by the Illinois Health Facilities Planning Board.

Section 1240.60(a)(3)

Debt Service Per
Patient Day

Debt Per
Bed

First Quartile
Median
Third Quartile

\$1.88
6.19
7.74

\$ 3,999
15,440
19,581

Section 1240.60(b)(1)

McGraw-Hill's "Dodge Construction Systems Costs for Building Construction (Latest Annual Edition)"; Published by McGraw-Hill Information Systems Co., P.O. Box 28, Princeton, New Jersey 08540.

Section 1240.60(b)(2)

Movable Equipment Per Bed

First Quartile
Median
Third Quartile

\$1.127
1,681
2,586

Section 1240.60(b)(3)

Handbook of Tables and Fee Schedule; Published by the Capital Development Board, 401 South Spring Street, Springfield, Illinois 62706.

CAPITAL DEVELOPMENT BOARD
BASIC RATE AND/OR FIXED FEE SCHEDULE
FOR ARCHITECT-ENGINEER

Construction and
Contingencies
Cost

Hospitals and
Developmental
Centers

Nursing
Facilities

Independent Living
Apartments,
Ambulatory
Facilities

Up to \$300,000
350,000
400,000
450,000
500,000
550,000
600,000
650,000
700,000
750,000
800,000
850,000
900,000
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5,750,000
6,000,000
6,250,000
6,500,000
7,000,000
8,000,000
9,000,000
10,000,000

11.250%
10.975
10.720
10.490
10.270
10.050
9.990
9.860
9.750
9.650
9.550
9.450
9.370
9.310
9.250
9.050
8.890
8.750
8.625
8.500
8.385
8.280
8.180
8.090
8.015
7.940
7.870
7.800
7.740
7.680
7.620
7.560
7.510
7.460
7.415
7.370
7.330
7.290
7.250
7.130
7.050
7.000

9.250%
8.975
8.720
8.490
8.270
8.050
7.990
7.860
7.750
7.650
7.550
7.450
7.370
7.310
7.250
7.050
6.890
6.750
6.625
6.500
6.385
6.280
6.180
6.090
6.015
5.940
5.870
5.800
5.740
5.680
5.620
5.560
5.510
5.460
5.415
5.370
5.330
5.290
5.250
5.130
5.050
5.000

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12,500,000	6,930	5,940	4,950
15,000,000	6,850	5,870	4,890
17,500,000	6,770	5,810	4,840
20,000,000	6,700	5,750	4,790
22,500,000	6,620	5,680	4,750
25,000,000	6,550	5,630	4,710
27,500,000	6,460	5,560	4,650
30,000,000	6,380	5,500	4,600
32,500,000	6,310	5,440	4,550
35,000,000	6,240	5,380	4,500
37,500,000	6,160	5,310	4,460
40,000,000	6,080	5,250	4,420
42,500,000	6,010	5,200	4,360
45,000,000	5,930	5,130	4,310
47,500,000	5,850	5,070	4,260
50,000,000	5,770	5,010	4,230
52,500,000	5,700	4,940	4,170
55,000,000	5,620	4,880	4,120
57,500,000	5,550	4,820	4,070
60,000,000	5,470	4,750	4,030
62,500,000	5,400	4,700	3,970
65,000,000	5,320	4,630	3,930
67,500,000	5,240	4,560	3,880
70,000,000	5,160	4,500	3,840
72,500,000	5,090	4,440	3,780
75,000,000	5,020	4,370	3,740
77,500,000	4,950	4,320	3,700
80,000,000	4,870	4,250	3,650
85,000,000	4,710	4,130	3,550
90,000,000	4,560	4,010	3,450
95,000,000	4,420	3,870	3,350
100,000,000	4,250	3,750	3,250

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of Part: Certificates of Title, Registration of Vehicles
- 2) Code Citation: 92 Ill. Adm. Code 1010
- 3) Section Number
1010.420 Proposed Action
Amendment
- 4) Statutory Authority: Implementing Chapter 3 and authorized by Section 2-104(b) of the Illinois Vehicle Title & Registration Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1989, ch. 95 1/2, pars. 3-100 et seq. and 2-104(b))
- 5) A Complete Description of the Subjects and Issues Involved:
Section 5-401 was repealed and replaced with Section 5-401.2.
- 6) Will this proposed rule replace an emergency rule currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Do these proposed amendments contain incorporations by reference?
No
- 9) Are there any other amendments pending on this Part? No
- 10) Statement of Statewide Policy Objectives:
This rulemaking does not affect units of local government.
- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking. Written comments may be submitted within 45 days to:
Robert B. Powers
Assistant Counsel
298 Centennial Building
Springfield, Illinois 62706
217/785-3094

12) Initial Regulatory Flexibility Analysis:

After careful consideration, the Secretary of State does not feel that this rulemaking will have any adverse effect on small businesses and so this rulemaking was not submitted to the Small Business Office of the Department of Commerce and Community Affairs.

The full text of the proposed amendments begins on the next page:

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NOTICE OF PROPOSED AMENDMENT(S)

TITLE 92: TRANSPORTATION
CHAPTER II: SECRETARY OF STATE

PART 1010
CERTIFICATES OF TITLE, REGISTRATION OF VEHICLES

Owner--Application of Term
Secretary and Department

SUBPART B: TITLES

Salvage Certificate-Additional Information Required to Accompany
Application for a Certificate of Title for a Rebuilt or a Restored
Vehicle Upon Surrendering Salvage Certificate
Salvage Certificate-Assignments and Reassignments
Exclusiveness of Lien on Certificate of Title
Documents Required to Title and Register Imported Vehicles Not
Manufactured in Conformity with Federal Emission or Safety Standards
Transferring Certificates of Title Upon the Owner's Death
Repossession of Vehicles by Lienholders and Creditors
Junking Notification

Section
1010.10
1010.20

Section
1010.110

1010.120
1010.130
1010.140

1010.150
1010.160
1010.170

SUBPART C: REGISTRATION

Application for Registration
Vehicles Subject to Registration - Exceptions
Refusing Registration or Certificate of Title
Registration Plates To Be Furnished By The Secretary of State
Applications For Reassignment

Section
1010.210
1010.220
1010.230
1010.240
1010.250

SUBPART D: REVOCATION, SUSPENSION AND CANCELLATION OF REGISTRATION

Operation of Vehicle after Cancellation, Suspension, or Revocation of
any Registration
Improper Use of Evidences of Registration
Suspension, Cancellation or Revocation of Illinois Registration Plates
and Cards and Titles
Operation of Vehicle Without Proper Illinois Registration
Suspension or Revocation
Surrender of Plates, Decals or Cards

Section
1010.300
1010.310
1010.320

1010.330
1010.350
1010.360

SUBPART E: SPECIAL PERMITS AND PLATES

Temporary Registration - Individual Transactions

Section
1010.410

ILLINOIS REGISTER

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENT(S)

Temporary Permit Pending Registration In Illinois
Registration Plates for Motor Vehicles Used for Transportation for
Compensation and Tow Trucks
Title and Registration of Vehicles with Permanently Mounted Equipment
Special Plates
Purple Heart License Plates
Special Event License Plates
Retired Armed Forces Licenses Plates
Gold Star License Plates
Collectible License Plates
Sample License Plates For Motion Picture and Television Studios
Special Plates for Members of the United States Armed Forces Reserves
Dealer Plate Records
State of Illinois In-Transit Plates

1010.420
1010.430
1010.440
1010.450
1010.451
1010.452
1010.453
1010.454
1010.455
1010.456
1010.460
1010.470
1010.480

SUBPART F: FEES

Determination of Registration Fees
When Fees Returnable
Circuit Breaker Registration Discount
Maximum Fees for Distribution of Motor Vehicle Renewal Plates and/or
Stickers

Section
1010.510
1010.520
1010.530
1010.540

SUBPART G: MISCELLANEOUS

Unlawful Acts, Fines and Penalties
Change of Engine

Section
1010.610
1010.620

SUBPART H: SECOND DIVISION VEHICLES

Reciprocity
Vehicle Proration
Proration Fees
Vehicle Apportionment
Trip Leasing
Intrastate Movements, Foreign Vehicles
Interline Movements
Trip and Short-term Permits
Signal 30 Permit for Foreign Registration Vehicles (Repealed)
Signal 30-Year-round for Prorated Fleets of Leased Vehicles (Repealed)
Mileage Tax Plates
Suspension or Revocation of Illinois Mileage Weight Tax Plates
Transfer for "For-Hire" Loads
Suspension or Revocation of Exemptions as to Foreign Registered
Vehicles

Section
1010.705
1010.710
1010.715
1010.720
1010.725
1010.730
1010.735
1010.740
1010.745
1010.750
1010.755
1010.756
1010.760
1010.765

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENT(S)

1010.770 Required Documents for Trucks and Buses to detect "intrastate" movements

1010.775 Certification of Safety

APPENDIX A Uniform Vehicle Registration Proration and Reciprocity Agreement

APPENDIX B International Registration Plan

AUTHORITY: Implementing Chapter 3 and authorized by Section 2-104(b) of the Illinois Vehicle Title & Registration Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1989, ch. 95 1/2, pars. 3-100 et seq. and 2-104(b)).

SOURCE: Filed and effective December 15, 1970; emergency amendments at 2 Ill. Reg. 25, p. 119, effective June 14, 1978, for a maximum of 150 days; amended at 3 Ill. Reg. 12, p. 76, effective March 23, 1979; amended at 3 Ill. Reg. 29, p. 123, effective July 20, 1979; amended at 4 Ill. Reg. 17, p. 247, effective April 11, 1980; emergency amendments at 4 Ill. Reg. 21, p. 99, effective May 14, 1980, for a maximum of 150 days; amended at 6 Ill. Reg. 2241, effective February 1, 1982; amended at 6 Ill. Reg. 11076, effective August 26, 1982; codified at 6 Ill. Reg. 12674; amended at 7 Ill. Reg. 1432, effective January 21, 1983; amended at 7 Ill. Reg. 1436, effective January 21, 1983; amended at 8 Ill. Reg. 5329, effective April 6, 1984; amended at 9 Ill. Reg. 3358, effective March 1, 1985; amended at 9 Ill. Reg. 9176, effective May 30, 1985; amended at 9 Ill. Reg. 12863, effective August 2, 1985; amended at 9 Ill. Reg. 14711, effective September 13, 1985; amended at 10 Ill. Reg. 1243, effective January 6, 1986; amended at 10 Ill. Reg. 4245, effective February 26, 1986; amended at 10 Ill. Reg. 14308, effective August 19, 1986; recodified at 11 Ill. Reg. 15920; amended at 12 Ill. Reg. 14711, effective September 15, 1988; amended at 12 Ill. Reg. 15193, effective September 15, 1988; amended at 13 Ill. Reg. 1598, effective February 1, 1989; amended at 13 Ill. Reg. 5173, effective April 1, 1989; amended at 13 Ill. Reg. 7965, effective May 15, 1989; amended at 13 Ill. Reg. 15102, effective September 15, 1989; amended at 14 Ill. Reg. 4560, effective March 1, 1990; amended at 14 Ill. Reg. 6848, effective April 18, 1990; amended at 14 Ill. Reg. 9492, effective June 1, 1990; amended at 14 Ill. Reg. 17378, effective October 15, 1990; amended at 14 Ill. Reg. 19066, effective November 15, 1990, amended at _____ Ill. Reg. _____ effective _____.

SUBPART E: SPECIAL PERMITS AND PLATES

Section 1010.420 Temporary Permit Pending Registration In Illinois

- a) General Provisions
- 1) For the purpose of this Rule, Illinois Temporary Registration Permit (hereinafter referred to as Temporary Permit) shall refer to a temporary card issue or provided by the Secretary of State, which allows the operation of a vehicle after proper application has been made and fees received, until the receipt of registration plates and/or sticker.
 - 2) The Secretary of State shall prescribe the form and content of the Temporary Permit. The Secretary of State shall issue the Temporary Permit and no other document shall be deemed a valid

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENT(S)

as restricting the provisions of Section 3-401 of the Illinois Vehicle Code.

The Temporary Permit shall not be valid for more than 60 days from the date of issuance, unless extended or reduced at the discretion of the Secretary of State. In exercising that discretion, the Secretary of State shall take into consideration the following factors:

A) The nature and type of application;

B) The availability of the registration plates and/or stickers applied for;

C) The processing time for the application;

D) Other relevant matters affecting the issuance thereof.

In any event, once the applied-for registration plates and/or stickers have been issued to and received by the applicant, the Temporary Permit is void.

The Temporary Permit must be displayed on the windshield of the vehicle for which it is issued and must be removed upon receipt of the registration plates and/or sticker. The Temporary Permit is not transferable from one person to another, nor from vehicle to vehicle.

In addition to the issuance of Temporary Permits to specific applicants, the Secretary of State shall issue, upon request, blank Temporary Permits to the following for completion by them:

A) All licensed vehicle dealers registered and in good standing with the Secretary of State. Each dealer may issue Temporary Permits only to persons purchasing vehicles from that dealer and only after application for title and registration has been completed. All dealers shall maintain records of all Temporary Permits issued as prescribed in Section 5-401.2 of the Illinois Vehicle Code. Failure to do so could result in the denial, revocation, or suspension of a dealer's license under Section 5-501 of the Illinois Vehicle Code.

B) All licensed remittance agents registered and in good standing with the Secretary of State. Each remittance agent may issue Temporary Permits only to persons whose applications the remittance agent accepts for transmittal to the Secretary of State. A Temporary Permit may only be issued in connection with an application for title and registration, or registration only, but may not be issued in connection with an application for the renewal of a registration. The Secretary shall, upon determination by any court proceeding or at an administrative hearing, decline to issue such permits to any remittance agent or demand return of unused permits for violating any provision of the Illinois Vehicle Code. All Remittance Agents receiving such permits shall maintain records thereof as prescribed in Section 3-910 of the Illinois Vehicle Code. Failure to do so could result in the denial, revocation, or suspension of a Remittance Agents license under section

SECRETARY OF STATE

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENT(S)

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- C) All Investigators employed by the Secretary of State.
- D) All licensed Currency Exchanges registered and in good standing with the Department of Financial Institutions. Each Currency Exchange may issue Temporary Permits only to persons whose applications the Currency Exchange accepts for transmittal to the Secretary of State. A Temporary Permit may only be issued in connection with an application for title and registration or registration only, but may not be issued in connection with an application for renewal of a registration. All Currency Exchanges receiving Temporary Permits shall maintain records of the issuance thereof, reflecting the information contained in the Temporary Permit. The Secretary shall, upon determination by any court proceeding or at an administrative hearing, decline to issue Temporary Permits to any Currency Exchange who has committed any violation of the Illinois Vehicle Code or rule thereof, for failure to keep records required herein, or for any other violation relating to the use or issuance of Temporary Permits.
- 6) Any Temporary Permit issued by one of the above named groups must also be issued in compliance with the following:
- Issued in numerical sequence as received from the Secretary of State;
 - Issued only by the Dealer, Remittance Agent, Secretary of State Police employee, or Currency Exchange that received the Temporary Permit from the Secretary of State;
 - Contain all of the information requested where applicable.
 - Be notarized when issued by a Dealer, Remittance Agent, or Currency Exchange. When issued by the Secretary of State it shall bear the signature of the employee issuing it and that person's division and department.
- b) Newly Acquired Vehicles
- A Temporary Permit to operate a newly acquired vehicle for which a valid application for title and registration has been filed accompanied with the proper fees, may be issued or for the Secretary of State to the buyer of such vehicle, pending action upon said application.
- c) Renewal Registrations
- In the event that an individual fails to renew a registration plate or sticker upon expiration, a Temporary Permit may be issued only by a Secretary of State facility, and only under the following circumstances:
- The applicant presents to the facility proof of ownership of the vehicle through a title, preprinted application, I.D. Card, or through verification of some by the records of the Secretary of State.
 - The applicant presents payment of all fees due to the facility.
 - The renewal registration plates and/or stickers are not readily available at a financial institution, as defined in Section
- 4) The appropriate registration stickers or registration plates are not available at the facility.
- d) Miscellaneous Provisions
- The Secretary of State may also issue Temporary Permits only at official State of Illinois facilities in any of the following situations:
- If an individual has made application for registration, either renewal or otherwise, prior to expiration and does not receive the registration by the expiration date. The individual must present proof thereof acceptable to the Secretary of State;
 - Any situation where the individual makes proper application for title and registration, or registration alone, and the Secretary of State is unable to issue the appropriate registration at that time.

(Source: Amended at _____ Ill. Reg. _____,
effective _____)

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of Part: Revised Uniform Limited Partnership Act

- 2) Code Citation: 14 Ill. Adm. Code 170

<u>Section Number</u>	<u>Proposed Action</u>
170.10	Amendment
170.11	Amendment
170.12	Amendment
170.13	Amendment
170.14	Amendment
170.17	Amendment
170.20	Amendment
170.30	New

- 4) Statutory Authority: Implementing and authorized by the Revised Uniform Limited Partnership Act (Ill. Rev. Stat. 1989, ch. 106 1/2, pars. 151-1 et seq.)

- 5) A Complete Description of the Subjects and Issues Involved:
Corrective language for Department and Division name, filing office address, form of payment acceptable, minimum filing fee and service fee required. Detailing, "sale of information", via computer connection procedures and fees. Detailing filing requirements for General Partnerships serving as general partners. Identify our fee refund policy.

- 6) Will this proposed rule replace an emergency rule currently in effect? No

- 7) Does this rulemaking contain an automatic repeal date? No

- 8) Do these proposed amendments contain incorporations by reference?
No

- 9) Are there any other amendments pending on this Part? No

- 10) Statement of Statewide Policy Objectives:

This rulemaking does not affect units of local government.

- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking. Written comments may be submitted within 45 days to:

Max Rockhold
Dept. of Business Services
Limited Partnership Division
300 Centennial Building
Springfield, Illinois 62706
217/785-3283

NOTICE OF PROPOSED AMENDMENTS

- 12) Initial Regulatory Flexibility Analysis:

After careful consideration, the Secretary of State does not feel that this rulemaking will have any adverse effect on small businesses and so this rulemaking was not submitted to the Small Business Office of the Department of Commerce and Community Affairs.

The full text of the proposed amendments begins on the next page:

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NOTICE OF PROPOSED AMENDMENT(S)

TITLE 14: COMMERCE
SUBTITLE A: REGULATION OF BUSINESS
CHAPTER I: SECRETARY OF STATE

PART 170
REVISED UNIFORM LIMITED PARTNERSHIP ACT

Section	
170.10	Definitions
170.11	Filing Locations
170.12	Business Hours
170.13	Fees
170.14	Service of Process
170.15	Additional Requirements for Forms
170.16	Assumed Names
170.17	Sale of Information
170.20	Filing Requirements
170.30	Refunds

AUTHORITY: Implementing and authorized by the Revised Uniform Limited Partnership Act (Ill. Rev. Stat. 1987 1989, ch. 106½, pars. 151-1 et seq.).

SOURCE: Adopted at 11 Ill. Reg. 10314, effective July 1, 1987; amended at 14 Ill. Reg. 1483, effective January 15, 1990; amended at ____ Ill. Reg. _____, effective _____.

Section 170.10 Definitions

In addition to the definitions contained in Section 101 of the Revised Uniform Limited Partnership Act (Ill. Rev. Stat. 1986-Supp- 1989, ch. 106½, pars. 151-2 et seq.) the following definitions shall apply:

"Department" shall mean the Department of Corporations
Business Services of the Office of the Secretary of State.

"Director" shall mean the Director of the Department of Corporations
Business Services.

"RULPA" shall mean the Revised Uniform Limited Partnership Act, (Ill. Rev. Stat. 1986-Supp-1989, ch. 106½, pars. 151-2 et seq).

"RULPA Division" shall mean that unit of the Department which administers the provisions of RULPA.

"Secretary" shall mean the Secretary of State of Illinois.

(Source: Amended at ____ Ill. Reg. _____, effective _____)

Section 170.11 Filing Locations

- a) All documents required to be filed with the Secretary of State pursuant to the RULPA shall be filed with the Department.
- b) Documents submitted for filing in Springfield, the Department's headquarters, shall be filed at the following address.

Department of Corporations Business Services
Limited Partnership Division
Room 328 330, Centennial Building
Springfield, Illinois 62756
Attention:--RULPA-Division

- c)---Documents-submitted-for-filing-in-Chicago-shall-be-filed-at-the following-address:

Department-of-Corporations
188-West-Randolph-Street;-Room-426
Chicago;-Illinois--60601
Attention:--RULPA-Division

- d)(c) Documents submitted by mail for filing should be sent to the Department's Springfield office.

(Source: Amended at ____ Ill. Reg. _____, effective _____)

Section 170.12 Business Hours

The Department of Corporations Business Services business hours are 8:00 a.m. to 4:30 p.m. Springfield, Monday through Friday, except holidays. ~~The-Chicago-office-hours-are-8:30-a.m.-to-5:00-p.m.-Monday-through-Friday, except-for-holidays.~~

(Source: Amended at ____ Ill. Reg. _____, effective _____)

Section 170.13 Fees

All fees for filing of any document, or copies of any document, as set forth in this Part or in Section 1102 of the RULPA shall be paid only by money order, certified check, cashier's check, or a check drawn on the account of an Illinois licensed attorney or certified public accountant, made payable to the "Secretary of State" or by Visa or Mastercard payment.

(Source: Amended at ____ Ill. Reg. _____, effective _____)

Section 170.14 Service of Process

- a) For the purposes of Sections 107 and 909 of the RULPA, the procedures set forth in this Section shall apply.

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"Illinois Secretary of State". Each process, notice or demand shall be submitted with a separate payment.

- f) The Department of Corporations shall record in a ledger the information required to be kept by Section 107(e) of the RULPA. Copies of the documents submitted shall be kept in paper form for two years after receipt, and the documents shall then be microfilmed and the paper copies placed in storage until five years have elapsed since receipt. The Department of Business Services shall maintain original file copies which shall be in paper form or an acceptable archival medium, and originals may be discarded upon verification of archival medium (microfilm or electronic imaging).

(Source: Amended at Ill. Reg. _____, effective _____)

Section 170.17 Sale of Information

- a) The Department of Corporations Business Services shall not reproduce, or sell any list of limited partnerships on file until at least July 1, 1991.
- b) Information concerning any limited partnership or limited partnerships shall be available to the public from the Department of Corporations Business Services only upon written request, only or by telephone with advance payment using Visa or Mastercard when submitted by mail or in person at the offices of the Department as stated in Section 170.11.
- c) Information concerning the limited partnerships on file with the Department shall be in the form of an abstract of record, printed from the computer file of the Department, and shall consist of the limited partnership name, its date of formation, any assumed name, its registered agent, the address of the office at which the records are maintained, the latest date at which the limited partnership will dissolve, the foreign jurisdiction where formed (if applicable), the date of filing with the Department, and the file number with the Department. The fee for each abstract of record shall be \$2.00 \$10.00.
- d) Copies of all documents pertaining to limited partnerships on file with the Department are available upon written request only submitted either by mail, or in person or by telephone with advance payment using Visa or Mastercard to the Springfield office of the Department. The fee for such copies, and certification of any documents, is at least \$10.00, as stated in P.A.R-94-1412, effective July 1, 1987, and January 1, 1987. See Ill. Rev. Stat., 1986-Supp. 1989, ch. 106, par. -2 et seq. par. 1102.

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- b) Any process, notice or demand to be served under this Part shall be made upon the Secretary, or the Director, or any employee of the Department designated by the Director to accept such service for him or her, in the following manner:

- 1) Service shall comply with the provisions of Part 2 of the Civil Practice Law (Ill. Rev. Stat. 1985 1989, ch. 110, pars. 2-201 et seq., the Federal Rules of Civil Procedure (28 USC), or any administrative rules of service, as may be appropriate.
- 2) The affidavit of compliance required by Section 107 and 909 of the RULPA to be appended to the process, notice or demand to be served, containing the information described in paragraph (b) herein, shall be signed by the person instituting the action, suit or proceeding or by an attorney of record, and the signature of the affiant, without more, shall constitute the affirmation or acknowledgment, under penalties of perjury, that the affidavit is the act or deed of the affiant and that the facts stated therein are true.

- c) The affidavit of compliance shall state:

- 1) the title of the court or administrative agency;
- 2) the title of the case, showing the names of the first named plaintiff and the first named defendant;
- 3) the number of the case;
- 4) the title of the instrument;
- 5) the title of the limited partnership to be served;
- 6) the basis for service on the Secretary;
- 7) the address to which the instrument is to be sent (by registered or certified mail) by the affiant;
- 8) the name, address and telephone number of the attorney of record for the plaintiff or other affiant.
- d) Service of any process, notice or demand made under this Part shall be had with the Department either at Room 328 330, Centennial Building, Springfield, Illinois 62756, or at Room 426, 188-West-Randolph-Street, Chicago, Illinois 60601.
- e) At the time of any service under this Part, there shall be paid a fee of \$5.00 \$25.00 (Ill. Rev. Stat. 1986-Supp. 1989, ch. 106, pars. 151-2 et seq.), payable by check or money order to the

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e) No information concerning limited partnerships shall be available by means of a computer network; nor shall any information be sold to any commercial information service company or entity, until at least July 1-7-1991. Computer connections by non-department users

- 1) Computer terminal connections to the Secretary's computer may be provided to other State agencies. This service may be made available at no charge so long as the requesting agency incurs all costs and so long as the service does not substantially increase costs or network traffic on the Secretary's computer.
- 2) Computer terminal connection may be allowed to commercial users provided that all costs are borne by the commercial user. The allowance of computer terminal connections shall be contingent upon the best interests of the Office of the Secretary of State, which is based upon the volume of requests received, the cost-effectiveness of providing the information through computer terminal connections as opposed to other methods, and other factors which may impede the operations of the Office of the Secretary of State. This service will be suspended at any time, should the connection interfere with the Secretary's internal work schedules and processing.

- 3) Fees for information supplied by means of computer connections between the Secretary of State's computers and those of any other agency, corporation, or person may be paid on a monthly basis for all information delivered during that month, as determined by the Secretary and the agency or person to be the economically simplest way of billing. The proper fee shall be determined by negotiation between the agency or commercial user and the Director based upon telephone line charges, rental or purchase fees for terminals, and any other appropriate factors, such as statutory fees (Ill. Rev. Stat. 1989, ch. 106 1/2, par. 1102) for certain types of information and the requirements of this Subpart.

- 4) No users may print any list or abstract from the computer connection. Lists of RULPA information including the names and information concerning all limited partnerships may only be purchased pursuant to subsection (A) of this Section. Computer connections are to be used only to look up information. No changes on the Department's RULPA files may be made by any computer connection user.

f) Terms and conditions for computer maintained RULPA information

- 1) The information supplied by the Department to other agencies, commercial users, or other person, shall be in the abstract format only, as specified in subsection (c) of this Section.

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- 2) The fee for the entire list of current and dissolved limited partnerships, and assumed names, shall be \$1,500.00. The weekly update list shall cost \$100.00 per week. The list is available on microfiche, or on computer tape. If the list is purchased on computer tape, the purchaser shall supply the Department with a computer tape or tapes compatible with the Secretary's computer equipment, on to which tapes the information shall be transferred.
- 3) All purchase requests shall be submitted in writing to the Director. Payment shall be made to the Department before delivery of the information to the purchaser. No refunds will be made after the request is approved by the Director. Payment shall be made by check, money order, or Visa or Mastercard made payable to the "Secretary of State".
- 4) All commercial or other type purchasers shall sign a written agreement setting forth the terms and conditions required by Illinois law, and as may be deemed appropriate after negotiation between the Department and the purchaser.
- 5) The commercial purchaser shall not resell to any other purchaser the information obtained from the Department in the same form or format in which it is obtained from the Department. The commercial purchaser may sell the information to the subscribers of its computer or business information services only on the basis of each limited partnership as needed by the subscriber.

(Source: Amended at ____ Ill. Reg. ____, effective ____)

Section 170.20 Filing Requirements

- a) Corporations serving as general partners in limited partnerships or foreign limited partnerships must comply with the following:
 - 1) a domestic corporation shall be in good standing in Illinois and the partnership registration application shall be executed by a corporate officer.
 - 2) a foreign corporation qualified in Illinois shall be in good standing in Illinois and the partnership registration application shall be executed by a corporate officer.
 - 3) a foreign corporation not qualified in Illinois shall be in good standing in its state of formation and provide a certificate to that effect of such state or jurisdiction with the partnership registration application which shall be executed by a corporate officer.

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b) Limited partnerships serving as general partners in limited partnerships or foreign limited partnerships must comply with the following:

- 1) a domestic limited partnership must be in good standing in Illinois and the partnership registration application shall be executed by a general partner.
- 2) a foreign limited partnership qualified in Illinois shall be in good standing in Illinois and the partnership registration application shall be executed by a general partner.
- 3) a foreign limited partnership not qualified in Illinois shall be in good standing in its state or jurisdiction of formation and provide a certificate to that effect of such state or jurisdiction with the partnership registration application which shall be executed by a general partner.

c) General partnerships serving as general partners in limited partnerships must comply with the following requirements:

- 1) both domestic and foreign general partnerships must identify their state of formation, the county of their formation, and their office of records address.
- 2) all partners are to be identified by name on the appropriate forms and those partners which are partnerships or corporations, or other non-personal entities, shall provide documentation of their existence in good standing in the states of formation or organization.

3) only one partner of a general partnership need execute any documents required by these rules on the RULPA for filing with the Department.

d) Any foreign limited partnership shall submit a certificate of existence issued by the state of organization when the foreign limited partnership files its admission to transact business pursuant to Section 902 of the RULPA. The Department shall reject any proposed filing which does not contain the certificate of existence or good standing issued by the state of organization.

e) When a limited partnership is a general partner in a newly formed limited partnership, or when the limited partnership is substituted by amendment as a general partner, then the name of the limited partnership shall be written, typed or printed in the space for the

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general partner on the certificate of authority or amendments to the certificate.

(Source: Amended at Ill. Reg. _____, effective _____)
Section 170.30 Refunds

No refunds of any fees shall be paid by the Department if deficiency in filings are not corrected within the required time periods.

(Source: Added at Ill. Reg. _____, effective _____)

DEPARTMENT OF CONSERVATION
NOTICE OF ADOPTED AMENDMENTS

- 1) HEADING OF THE PART: Commercial Fishing and Musseling in Certain Waters of the State

- 2) CODE CITATION: 17 Ill. Adm. Code 830

- 3) SECTION NUMBERS:

830.60
830.70
830.90

ADOPTED ACTION:

Amendments
Amendments
Amendments

- 4) STATUTORY AUTHORITY: Implementing and authorized by Sections 1.3j, 1.3k, 1.4, 3.25, 4.8, 4.9, 5.7, and 6.1 of the Fish Code of 1971 (Ill. Rev. Stat. 1991, ch. 56, pars. 1.3j, 1.3k, 1.4, 3.25, 4.8, 4.9, 5.7 and 6.1)

- 5) EFFECTIVE DATE OF AMENDMENTS: March 20, 1992

- 6) DOES THIS RULEMAKING CONTAIN AN AUTOMATIC REPEAL DATE? No

- 7) DO THESE AMENDMENTS CONTAIN INCORPORATIONS BY REFERENCE? No

- 8) DATE FILED IN AGENCY'S PRINCIPAL OFFICE: March 13, 1992

- 9) NOTICE OF PROPOSAL PUBLISHED IN ILLINOIS REGISTER: January 3, 1992, 15 Ill. Reg. 18327

- 10) HAS JCAR ISSUED A STATEMENT OF OBJECTIONS TO THESE RULES: No

- 11) DIFFERENCES BETWEEN PROPOSAL AND FINAL VERSION:

All references to the "Ill. Rev. Stat." were updated to 1991.

In Section 830.70(a), a comma was added following "removed".

- 12) HAVE ALL THE CHANGES AGREED UPON BY THE AGENCY AND JCAR BEEN MADE AS INDICATED IN THE AGREEMENT LETTER ISSUED BY JCAR? Yes

- 13) WILL THESE AMENDMENTS REPLACE AN EMERGENCY RULE (AMENDMENT, REPEALER) CURRENTLY IN EFFECT? No

- 14) ARE THERE ANY AMENDMENTS PENDING ON THIS PART? No

- 15) SUMMARY AND PURPOSE OF AMENDMENTS: Amendments to this Part give greater protection to the commercial fishing and musseling resources of Illinois. Changes include: deleting three species of mussels from the list that may be taken, providing lengths for catfishes dressed with and without the

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first vertebrae removed; requiring that all relic (dead) Washboard mussels harvested shall measure not less than 4.0 inches; and establishing reporting requirements for commercial fish and and mussels harvested.

- 16) INFORMATION AND QUESTIONS REGARDING THESE ADOPTED AMENDMENTS SHALL BE DIRECTED TO:

Don Woods
Department of Conservation
524 S. Second Street, Room 485
Springfield, IL 62701-1787

THE FULL TEXT OF THE ADOPTED AMENDMENTS BEGINS ON THE NEXT PAGE:

DEPARTMENT OF CONSERVATION

NOTICE OF ADOPTED AMENDMENT(S)

TITLE 17: CONSERVATION
CHAPTER 1: DEPARTMENT OF CONSERVATION
SUBCHAPTER b: FISH AND WILDLIFE

PART 830

COMMERCIAL FISHING AND MUSSELING IN CERTAIN WATERS OF THE STATE

Section	Definitions
830.5	Waters Open to Commercial Harvest of Fish
830.10	Waters Open to Commercial Harvest of Mussels and Seasons
830.20	Special Regulations
830.30	Devices
830.40	Permisson
830.50	Species
830.60	Size Limit
830.70	Commercial Fishing and Musseling in Additional Waters
830.80	Revocation and Suspension of Commercial Fishing and Musseling
830.90	Privileges, Hearings and Appeals and Reporting Requirements

AUTHORITY: Implementing and authorized by Sections 1.3j, 1.3k, 1.4, 3.25, 4.8, 4.9, 5.7 and 6.1 of the Fish Code of 1971 (Ill. Rev. Stat. 1991, ch. 56, pars. 1.3j, 1.3k, 1.4, 3.25, 4.8, 4.9, 5.7 and 6.1).

SOURCE: Adopted at 5 Ill. Reg. 6809, effective June 16, 1981; codified at 5 Ill. Reg. 10648; emergency amendment at 6 Ill. Reg. 6468, effective May 18, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 10680, effective August 20, 1982; amended at 7 Ill. Reg. 2707, effective March 2, 1983; amended at 10 Ill. Reg. 6926, effective April 15, 1986; amended at 11 Ill. Reg. 9513, effective May 5, 1987; amended at 12 Ill. Reg. 11714, effective June 30, 1988; amended at 15 Ill. Reg. 8544, effective May 24, 1991; amended at 16 Ill. Reg. 5257, effective March 20, 1992

Section 830.60 Species

a) The following species of fish may be taken by licensed commercial fishermen:

- 1) Carp
- 2) Buffalo
- 3) Freshwater drum
- 4) Catfishes (includes bullheads)
- 5) Paddlefish
- 6) Carpsuckers
- 7) Suckers
- 8) Redhorses
- 9) Goldeye and Mooneye
- 10) Gar (except alligator gar)
- 11) Bowfin
- 12) American eel

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- 13) Shovelnose sturgeon
 - 14) Gizzard shad
 - 15) White amur (grass carp)
 - 16) Minnows
 - 17) Goldfish
 - 18) Bighead Carp and Silver Carp
- b) The following species of mussels may be taken by licensed commercial musselers:

- 1) Washboard (*Megalania nervosa*)
- 2) Threeridge (*Amblema plicata*)
- 3) Buckhorn or Pistol Grip (*Tritogonia verrucosa*); may not be taken from the Mississippi and Illinois Rivers
- 4) Mapleleaf (*Quadrula quadrula*)
- 5) Pimpleback (*Quadrula pustulosa*)
- 6) Monkeyface (*Quadrula metanevra*)
- 7) Wartyback (*Quadrula nodulata*)
- 8) Pigtoe (*Fusconaia flava formata undata*)
- 9) Butterfly (*Pittsaria lineolata*)
- 10) Mucket (*Actinonaias ligamentina*); may not be taken from the Mississippi and Illinois Rivers
- 11) Ohio River Pigtoe (*Pleurobema cordatum*)
- 12) Hickory Nut (*Obovaria olivaria*)
- 13) Fat-Mucket (*Amphipsia radiata*)
- 14) Pink Heelsplitter (*Potamilus alatus*)
- 15) White-Heelsplitter (*Basimigona complanata*)
- 16) Wabash River Pig-toe (*Fusconaia flava formata flava*)
- 17) Pocketbook (*Lampsilis ovata*)
- 18) Black Sandshell (*Ligumia recta*)

(Source: Amended at 16 Ill. Reg. 5257, effective March 20, 1992)

Section 830.70 Size Limit

- a) No channel catfish, blue catfish, flathead catfish or white catfish under 15 inches in length, dressed, or 12 inches in length, dressed, or 10.7 inches when dressed with the first vertebrae (T bone) removed, may be taken.
- b) There is no size limit on other species listed in Section 830.60(a).
- c) All Washboard mussels for the 1991 season shall measure not less than 3-75 4.0 inches. Beginning January 1, 1992, all Washboard-mussels shall measure not less than 4-0 inches. All relic (dead) Washboards shall measure not less than 3-5 4.0 inches.
- d) All Threeridge mussels shall measure not less than 2.75 inches.
- e) All other mussels listed in 830.60(b), shall measure not less than 2.5 inches.

(Source: Amended at 16 Ill. Reg. 5257, effective March 20, 1992)

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Section 830.90 Revocation and Suspension of Commercial Fishing and Musseling Privileges, Hearings and Appeals and Reporting Requirements

- a) In accordance with Section 5.19 of the Fish Code (Ill. Rev. Stat. 1991, ch. 56, par. 5.19), failure to comply with the provisions of the Fish Code of Illinois pertaining to commercial fishing and/or musseling in Illinois waters, and this part will result in suspension or revocation of the commercial fishing and/or musseling licenses. The procedure by which suspensions and revocations are made, the rights of commercial fishermen and musselers to notice and hearing, and the procedures governing such hearings are set forth in 17 Ill. Adm. Code 2530 (Rules governing Department Formal Hearings Conducted for Rule-Making and Contested Cases).
- b) Where waters of the State are open to commercial fishing or musseling by contract, the contract will be revoked upon failure of the contractor to comply with all terms of the contract. Furthermore, any violation of a contract issued by the Director of Conservation or his agents shall be considered a violation of this Administrative Order and subject to the penalties as set forth in Sections 5.7 and 5.19 of the Fish Code (Ill. Rev. Stat. 1991, ch. 56, pars. 5.7 and 5.19).
- c) Commercial fishermen shall submit an accurate annual record of the undressed weights of the species of fish harvested to the Department by January 31 of the following year, whether or not any fish were harvested.
- d) Holders of a commercial mussel harvest license shall submit an accurate record of the types and pounds of each species of mussel and/or relic mussel shells harvested on a monthly basis by the 10th of each month following harvest, whether or not any mussels or mussel shells were harvested.
- e) Failure of licensed commercial fishermen or musselers to submit the required harvest reports in a manner and time frame specified by the Department shall be grounds for refusal on the part of the Department to issue said individuals a license application for the following year until all required reports are received by the Department.

(Source: Amended at 16 Ill. Reg. 5257, effective March 20, 1992)

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NOTICE OF ADOPTED RULES

- 1) HEADING OF THE PART: Fish Removal With Chemicals
- 2) CODE CITATION: 17 Ill. Adm. Code 890
- 3) SECTION NUMBERS:

890.10	New Section
890.20	New Section
890.30	New Section
890.40	New Section
890.50	New Section
- 4) STATUTORY AUTHORITY: Implementing and authorized by Sections 1.7, 1.10 and 2.1 of the Fish Code of 1971 (Ill. Rev. Stat. 1991, ch. 56, pars. 1.7, 1.10 and 2.1).
- 5) EFFECTIVE DATE OF RULES: March 20, 1992
- 6) DOES THIS RULEMAKING CONTAIN AN AUTOMATIC REPEAL DATE? No
- 7) DO THESE RULES CONTAIN INCORPORATIONS BY REFERENCE? No
- 8) DATE FILED IN AGENCY'S PRINCIPAL OFFICE: March 13, 1992
- 9) NOTICE OF PROPOSAL PUBLISHED IN ILLINOIS REGISTER: November 13, 1991, 15 Ill. Reg. 17811
- 10) HAS JCAR ISSUED A STATEMENT OF OBJECTIONS TO THESE RULES: No
- 11) DIFFERENCES BETWEEN PROPOSAL AND FINAL VERSION:
All references to the "Ill Rev. Stat." were updated to the 1991 version.
In Section 890.10(d), "the" was placed in lower case letters and a comma was added following "toxicity".
In Section 890.10(f), the comma following "gravel" was removed.
In Section 890.10(g), the comma following "propagate" was removed.
In Section 890.20(d), "of" was added between "impoundments" and "less".
In Section 890.40(a)(1), "which" was changed to "whom".

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In Section 890.40(a)(3), "fishery" was changed to "fisheries".

In Section 890.50, "Aquatic Applicators" was changed to "Private Pesticide Applicators" and a comma was added following "requirement".

- 12) HAVE ALL THE CHANGES AGREED UPON BY THE AGENCY AND JCAR BEEN MADE AS INDICATED IN THE AGREEMENT LETTER ISSUED BY JCAR? Yes
- 13) WILL THIS RULE REPLACE AN EMERGENCY RULE (AMENDMENT, REPEALER) CURRENTLY IN EFFECT? No
- 14) ARE THERE ANY AMENDMENTS PENDING ON THIS PART? No

15) SUMMARY AND PURPOSE OF RULES: Due to a recent change in the labeling of the fish toxicant rotenone, it is now considered by USEPA a "restricted use pesticide" which may only be purchased by licensed aquatic applicators. The Department has recently entered into a MOU with the Illinois Department of Agriculture which allows us to utilize a permitting process to allow water area owners to act as our purchasing agent in the purchase of fish toxicants for their water areas. This rule outlines the process.

- 16) INFORMATION AND QUESTIONS REGARDING THESE ADOPTED RULES SHALL BE DIRECTED TO:

Don Woods
Department of Conservation
524 S. Second Street, Room 485
Springfield, IL 62701-1787

THE FULL TEXT OF THE ADOPTED RULES BEGINS ON THE NEXT PAGE:

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NOTICE OF ADOPTED RULES

TITLE 17: CONSERVATION
CHAPTER 1: DEPARTMENT OF CONSERVATION
SUBCHAPTER b: FISH AND WILDLIFE

PART 890
FISH REMOVAL WITH CHEMICALS

Section	Definitions
890.10	Permit Requirements
890.30	Treatment of the Water Area
890.40	Record Keeping
890.50	Licensed Aquaculturist

AUTHORITY: Implementing and authorized by Sections 1.7, 1.10 and 2.1 of the Fish Code of 1971 (Ill. Rev. Stat. 1991, ch. 56, pars. 1.7, 1.10 and 2.1).

SOURCE: Adopted at 16 Ill. Reg. 5262, effective March 20, 1992.

Section 890.10 Definitions

- a) LICENSED AQUATIC APPLICATOR - a person who is duly licensed by the Illinois Department of Agriculture to apply approved aquatic herbicides and pesticides to the waters of the State of Illinois.
- b) FISH TOXICANT - any of several U.S. Environmental Protection Agency approved restricted use pesticides which are cleared for use in the removal of fish from the waters of the State of Illinois.
- c) DISTRICT FISHERIES BIOLOGIST - an employee of the Department of Conservation assigned to provide fisheries management services to a prescribed set of Illinois counties.
- d) RESTRICTED USE PESTICIDE - the U.S. Environmental Protection Agency term for a pesticide which, due to its toxicity, can only be purchased and/or applied by a licensed pesticide applicator.
- e) PERSON - "person" includes the plural "persons", females as well as males, and shall extend and be applied to clubs, associations, corporations, firms, and partnerships, as well as individuals.
- f) ARTIFICIAL IMPOUNDMENT - any dug or dammed body of standing water built by man, including borrow, gravel or quarry pits.
- g) LICENSED AQUACULTURIST - a person who is duly licensed by the Illinois Department of Conservation to breed, hatch, propagate or raise aquatic life.

Section 890.20 Permit Requirements

- a) Persons wishing to eliminate undesirable fish from water areas under their control, utilizing a fish toxicant, are required to first obtain a permit "To Remove Undesirable Fish" from the Illinois Department of Conservation.

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- b) These permits shall be issued by the district fisheries biologist having jurisdiction over the water areas in question.
- c) These permits shall contain the following information:
- 1) the full name of the owner of the water area;
 - 2) the street address or rural box number;
 - 3) city, state and postal zip code;
 - 4) county in which the water area is located;
 - 5) name of the water area, if any;
 - 6) legal location of water area (township, range and section);
 - 7) water area's classification (private, organizational, commercial or public);
 - 8) water area's size in acres, its maximum and average depth in feet, as well as its volume in acre feet;
 - 9) the area to be treated in acres, as well as the average depth, acre feet and the dosage rate;
 - 10) the type of treatment - watershed, complete, partial or selective;
 - 11) the toxicant name, concentration and amount;
 - 12) the expiration date of the permit;
 - 13) the full name and address of the fisheries biologist issuing the permit; and
 - 14) the Aquatic Pesticide Applicator's Permit number of the biologist issuing the permit.
- d) Except for privately-owned artificial impoundments of less than six (6) acres, which are exempt, all requests for a fish removal permit will be cleared via the Endangered Species Protection Act (Ill. Rev. Stat. 1991, ch. 8, par. 34(a)) with the Endangered Species Program Manager for the Division of Natural Heritage, prior to issuance.

Section 890.30 Treatment of the Water Area

Fish toxicants covered by these permits must be applied by an Illinois Department of Conservation, Division of Fisheries, District Fisheries Biologist, licensed to apply aquatic pesticides. Other Division of Fisheries' personnel who are licensed to apply aquatic pesticides may apply a fish toxicant in the presence, and under the supervision of, the district fisheries biologist.

Section 890.40 Record Keeping

- a) The district biologist issuing a fish removal permit shall provide copies of the permit to the following persons:
- 1) the original to the dealer from whom the toxicant is to be purchased;
 - 2) duplicate to be retained by the permit holder;
 - 3) triplicate to be retained by the district fisheries biologist issuing the permit; and
 - 4) quadruplicate is to be filed with the regional fisheries administrator.

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- b) The biologist issuing the permit shall create and retain a file for the water area in question in the permanent county water file, which contains both the permit and a report of the results of the fish removal operation.

Section 890.50 Licensed Aquaculturist

Licensed aquaculturists who are also licensed Private Pesticide Applications are exempt from Section 890.30, "Treatment of the Water Area" requirement when the fish toxicant is applied to aquaculture waters owned by the aquaculturist. Licensed aquaculturists must, however, obtain a permit to purchase a fish toxicant from the Illinois Department of Conservation.

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1) HEADING OF THE PART: Sport Fishing Regulations for the Waters of Illinois

2) CODE CITATION: 17 Ill. Adm. Code 810

3) SECTION NUMBERS:

810.35 Amendments
810.37 Amendments
810.45 Amendments
810.60 Amendments
810.70 Amendments
810.90 Amendments

ADOPTED ACTION:

4) STATUTORY AUTHORITY: Implementing and authorized by Sections 1.4, 1.5, 1.10, 2.1, 3.1, 3.2, 3.3, 3.4, 3.5, 3.6, 3.7, 3.9, 3.10, 3.12, 3.14, 3.18, 3.19, 4.11, 5.1, 5.7, and 6.1 of the Fish Code of 1971 (Ill. Rev. Stat. 1991, ch. 56, pars. 1.4, 1.5, 1.10, 2.1, 3.1, 3.2, 3.3, 3.4, 3.5, 3.6, 3.7, 3.9, 3.10, 3.12, 3.14, 3.18, 3.19, 4.11, 5.1, 5.7, and 6.1)

5) EFFECTIVE DATE OF AMENDMENTS: March 20, 1992

6) DOES THIS RULEMAKING CONTAIN AN AUTOMATIC REPEAL DATE? NO

7) DO THESE AMENDMENTS CONTAIN INCORPORATIONS BY REFERENCE? NO

8) DATE FILED IN AGENCY'S PRINCIPAL OFFICE: March 13, 1992

9) NOTICE OF PROPOSAL PUBLISHED IN ILLINOIS REGISTER: December 13, 1991, 15 Ill. Reg. 17817

10) HAS JCAR ISSUED A STATEMENT OF OBJECTIONS TO THESE RULES: NO

11) DIFFERENCES BETWEEN PROPOSAL AND FINAL VERSION:

All references to the "Ill. Rev. Stat." were updated to 1991.

In Section 810.35(c)(7), "not more than 3 of which may be lake trout" was deleted from the sentence.

In Section 810.37(b)(25), "two" was replaced with "2".

The left margin of the listing in Section 810.45 was moved to the 1" level.

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In Section 810.45, Lake Michigan, the following was added:

Lake Trout - No more than 3 fish or any one species daily, except for Lake Trout
- 2 Fish Daily Creel Limit

The left margin of the text in Section 810.60 was moved to the 1" level.

In Section 810.60(b), the text was changed to read ". . . Section 810.60(a) above. . ."

The left margin of the text in Section 810.90 was moved to the 1" level.

In Section 810.90, the text was relabeled accordingly and in Section 810.90(b), "will" was changed to "shall".

12) HAVE ALL THE CHANGES AGREED UPON BY THE AGENCY AND JCAR BEEN MADE AS INDICATED IN THE AGREEMENT LETTER ISSUED BY JCAR? Yes

13) WILL THESE AMENDMENTS REPLACE AN EMERGENCY RULE (AMENDMENT, REPEALER) CURRENTLY IN EFFECT? NO

14) ARE THERE ANY AMENDMENTS PENDING ON THIS PART? NO

15) SUMMARY AND PURPOSE OF AMENDMENTS: This administrative Rule provides necessary protection and conservation of the fisheries resources present on State-managed waters in the face of increasing fishing pressure and angler usage of aquatic resources statewide as well as at individual sites. Based on the results of biological surveys and subsequent data analyses, the Division of Fisheries has determined that these proposed amendments are necessary for the maintenance and/or production of quality fisheries in State-managed waters.

16) INFORMATION AND QUESTIONS REGARDING THESE ADOPTED AMENDMENTS SHALL BE DIRECTED TO:

Don Woods
Department of Conservation
524 S. Second Street, Room 485
Springfield, IL 62701-1787

THE FULL TEXT OF THE ADOPTED AMENDMENTS BEGINS ON THE NEXT PAGE:

DEPARTMENT OF CONSERVATION

NOTICE OF ADOPTED AMENDMENT(S)

TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF CONSERVATION
SUBCHAPTER b: FISH AND WILDLIFE

PART 810

SPORT FISHING REGULATIONS FOR THE WATERS OF ILLINOIS

Section	
810.10	Sale of Fish and Fishing Seasons
810.20	Snagging
810.30	Pole and Line Fishing Only (Repealed)
810.35	Statewide Sportfishing Regulations - Daily Catch and Size Limits
810.37	Definitions for Site Specific Sportfishing Regulations
810.40	Daily Catch and Size Limits (Repealed)
810.45	Site Specific Water Area Regulations
810.50	Bait Fishing
810.60	Bullfrogs
810.70	Free Fishing Days
810.80	Emergency Protective Regulations
810.90	Tagged Fishing Tournament Permit
810.100	Bed Protection

AUTHORITY: Implementing and authorized by Sections 1.4, 1.5, 1.10, 2.1, 3.1, 3.2, 3.3, 3.4, 3.5, 3.6, 3.7, 3.9, 3.10, 3.12, 3.14, 3.18, 3.19, 4.11, 5.1, 5.7, and 6.1 of the Fish Code of 1971 (Ill. Rev. Stat. 1989, ch. 56, pars. 1.4, 1.5, 1.10, 2.1, 3.1, 3.2, 3.3, 3.4, 3.5, 3.6, 3.7, 3.9, 3.10, 3.12, 3.14, 3.18, 3.19, 4.11, 5.1, 5.7, and 6.1).

SOURCE: Adopted at 5 Ill. Reg. 751, effective January 8, 1981; codified at 5 Ill. Reg. 10647; amended at 6 Ill. Reg. 342, effective December 23, 1981; amended at 6 Ill. Reg. 7411, effective June 11, 1982; amended at 7 Ill. Reg. 209, effective December 22, 1982; amended at 8 Ill. Reg. 1564, effective January 23, 1984; amended at 8 Ill. Reg. 16769, effective August 30, 1984; amended at 9 Ill. Reg. 2916, effective February 26, 1985; emergency amendments at 9 Ill. Reg. 3825, effective March 13, 1985, for a maximum of 150 days; emergency expired August 10, 1985; amended at 9 Ill. Reg. 6181, effective April 24, 1985; amended at 9 Ill. Reg. 14291, effective September 5, 1985; amended at 10 Ill. Reg. 4835, effective March 6, 1986; amended at 11 Ill. Reg. 4638, effective March 10, 1987; amended at 12 Ill. Reg. 5306, effective March 8, 1988; emergency amendments at 12 Ill. Reg. 6981, effective April 4, 1988, for a maximum of 150 days; emergency expired September 1, 1988; emergency amendments at 12 Ill. Reg. 10525, effective June 7, 1988, for a maximum of 150 days; emergency expired November 4, 1988; amended at 12 Ill. Reg. 15982, effective September 27, 1988; amended at 13 Ill. Reg. 8419, effective May 19, 1989; emergency amendments at 13 Ill. Reg. 12643, effective July 14, 1989, for a maximum of 150 days; emergency expired December 11, 1989; emergency amendments at 13 Ill. Reg. 14085, effective September 4, 1989, for a maximum of 150 days; emergency expired February 1, 1990; emergency amendments at 13 Ill. Reg. 15118, effective September 11, 1989, for a maximum of 150 days, emergency expired

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February 8, 1990; amended at 14 Ill. Reg. 6164, effective April 17, 1990; emergency amendments at 14 Ill. Reg. 6865, effective April 17, 1990, for a maximum of 150 days; emergency expired September 19, 1990; amended at 14 Ill. Reg. 8588, effective May 21, 1990; amended at 14 Ill. Reg. 16863, effective October 1, 1990; amended at 15 Ill. Reg. 4699, effective March 18, 1991; emergency amendments at 15 Ill. Reg. 5430, effective March 27, 1991, for a maximum of 150 days; emergency expired August 24, 1991; amended at 15 Ill. Reg. 9977, effective June 24, 1991; amended at 15 Ill. Reg. 13347, effective September 3, 1991; amended at 16 Ill. Reg. 5267, effective March 20, 1992.

Section 810.35 Statewide Sportfishing Regulations - Daily Catch and Size Limits

a) Length is measured from the tip of the snout to the end of the tail with the fish laid flat on a ruler, with the mouth of the fish closed and the tail lobes pressed together.

b) No person may remove the head or tail of fishes to which length limits apply while on the waters to which length limits apply. Regardless of where taken, no fish less than the specified minimum length or more than the daily catch shall be possessed on the waters to which length limits and/or daily catch limits apply.

c) Statewide limits by type of fish:

1) CHANNEL CATFISH

There are no daily catch or size limits except in those waters listed under Site Specific Regulations.

2) LARGemouth BASS, SMALLmouth BASS, SPOTTED BASS

Daily catch limit is 6 bass, either singly or in the aggregate, except as specified under Site Specific Regulations. There is no size limit except in those waters listed under Site Specific Regulations.

3) MUSKELLUNGE, NORTHERN PIKE AND THEIR HYBRIDS

A) All muskellunge and muskellunge hybrids (tiger muskie) taken must be 30 inches in total length or longer, except as specified under Site Specific Regulations.

B) No more than 1 muskellunge or muskellunge hybrid (tiger muskie), either singly or in the aggregate may be taken per day.

C) All northern pike taken must be 24 inches in total length or longer, except in the Mississippi River where there is no size limit.

D) No more than 3 northern pike may be taken per day, except as specified under Site Specific Regulations.

4) CRAPPIE (BLACK AND WHITE CRAPPIE)

There are no catch or size limits except in those waters listed under Site Specific Regulations.

5) BLUEGILL AND REDEAR SUNFISH

There are no catch or size limits except in those waters listed under Site Specific Regulations.

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6) STRIPED BASS (OCEAN ROCKFISH), WHITE BASS AND HYBRIDS

There are no daily catch limits or minimum size limits for striped bass (ocean rockfish), white bass, and their hybrids, which are less than 17 inches in total length, except in those waters listed under Site Specific Regulations. For these fish 17 inches in total length or longer, the daily limit is 3 fish, either singly or in the aggregate.

7) TROUT AND SALMON

Daily catch limit is 5 trout or salmon, either singly or in the aggregate, ~~not more than 3 of which may be lake trout~~.

8) WALLEYE, ANB SAUGER AND THEIR HYBRID

Daily catch limit is 6 walleye or sauger, either singly or in the aggregate, except in those waters listed under Site Specific Regulations. There is no size limit except in those waters listed under Site Specific Regulations.

(Source: Amended at 16 Ill. Reg. 5267, effective March 20, 1992.)

Section 810.37 Definitions for Site Specific Sportfishing Regulations

a) Site Specific Regulations are listed by water area affected. The coverage of the regulation is dictated by the extent of the water area listed and not by the county. In some cases, regulations for a given water area or site may extend beyond the county(ies) listed. The county(ies) listed refer to the location of the dam or outfall for impoundments or mouths of small streams. Since large rivers or streams usually flow through many counties, the term "Multiple" is used rather than listing all counties where the large stream or river flows.

b) The subsections listed below are referred to by number in Section 810.45. Each water area listed in Section 810.45 has numbers in parenthesis which explain all of the definitions in this Section which apply to that water area.

- 1) Anglers must not use more than 2 poles and each pole must not have more than 2 hooks or lures attached while fishing, except that legal size cast nets, (in accordance with subsection 810.50(a)(1)) shad scoops, and minnow seines may be used to obtain shad, minnows, and crayfish to use as bait, provided that they are not sold.
- 2) Includes black and white crappie, singly or in the aggregate.
- 3) All largemouth and smallmouth bass taken must be less than 12 inches in total length or greater than 15 inches in total length.
- 4) Except that sport fishermen shall be allowed to use trot lines, bank poles and jugs, and except that the use and aid of underwater breathing devices for the purpose of taking channel catfish and flathead catfish is prohibited.
- 5) Except that carp, buffalo, and bowfin may be taken by pitchfork, bow and arrow devices, and gigs.
- 6) Including the Fox River south of the Illinois-Wisconsin line to

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the McHenry Dam.

7) Except that carp, buffalo, suckers and gar may be taken by bow and arrow devices or spears during May and June.

8) Except that sport fishermen may take carp by means of pitchfork, bow and arrow devices and gigs during May and June.

9) Except that all fishing is prohibited in any area from Monday's Bridge upstream to the state property line east of headquarters, and in an area from a point 300' upstream of trail marker 0, upstream to trail marker 4.

10) It shall be illegal to process trout during the period of October 1 to 5 a.m. on the third Saturday in October (both dates inclusive) which were taken during that period.

11) It shall be illegal to possess trout during the period of March 15 to 5 a.m. on the 1st Saturday in April (both dates inclusive) which were taken during that period.

12) Daily catch limit for largemouth or smallmouth bass, singly or in the aggregate, shall not exceed 6 fish per day, no more than one of which shall be greater than 15 inches in length and none of which shall be greater than 12 inches and less than or equal to 15 inches in length.

13) Except that jug fishing is permitted from the hours of sunset to sunrise, and except that carp and buffalo may be taken by bow and arrow devices ~~during May and June~~ from May 1 through September 30. All jugs must have owner's/user's name and complete address affixed.

14) Daily catch limit includes all fish species (either singly or in the aggregate) caught within each of the following fish groupings.

- A) Largemouth or Smallmouth Bass
- B) Walleye or Sauger
- C) Bluegill or Redear Sunfish

15) Daily catch limit includes black and/or white crappie either singly or in the aggregate.

16) Daily catch limit includes Striped Bass, White Bass and Hybrid Striped Bass either singly or in the aggregate.

17) Daily catch limit shall not exceed 10 fish daily, no more than 3 of which may be 17 inches or longer in length.

18) Except that sport fishermen shall be allowed to use trot lines, jugs and bank poles in the portions of the lake that lie north of the Davenport Bridge and northeast of the Parnell Bridge.

19) Except that sport fishermen may take carp, buffalo, gar, and bowfin by means of pitchfork and bow and arrow devices.

20) Carlyle Lake (including its tributary streams and those portions of the Kaskaskia River and Hurricane Creek up the U.S. Army Corps of Engineers Carlyle Lake Project boundaries), U.S. Army Corps of Engineers Bond, Clinton, and Fayette Counties.

21) Lake Shelbyville (including its tributary streams and those portions of the West Okaw and Kaskaskia Rivers up to Lake Shelbyville Project boundaries), Lake Shelbyville Project Ponds

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and Woods Lake, U.S. Army Corps of Engineers, Shelby and Moultrie Counties.

22) Rend Lake (including its tributary streams and those portions of the Big Muddy and Casey Fork Rivers up to the Rend Lake Project boundaries), Rend Lake Project Ponds, U.S. Army Corps of Engineers, Franklin and Jefferson Counties.

23) Lake Vermillion and the portion of the North Fork of the Vermillion River between the Lake Vermillion Dam and the Interstate Water Company's Pump Station Spillway, Vermillion County Conservation District, Vermillion County.

24) 10 Fish Daily Creel Limit of which no more than 6 may be walleye.

25) Daily catch limit for largemouth or smallmouth bass, singly or in the aggregate, shall not exceed 3 fish per day, no more than one of which may be equal to or greater than 15 inches in total length and no more than 2 of which may be less than 15 inches in total length.

26) Lake Vermillion - Trot line and jug finishing allowed north of Boiling Springs Road.

(Source: Amended at 16 Ill. Reg. 5267, effective March 20, 1992)

Section 810.45 Site Specific Water Area Regulations

Fishing regulations, including species of fish, fishing methods and daily catch limits are listed for each water area. The numbers in parenthesis refer to the corresponding numbered definitions in Section 810.37 of this Part. ~~The word "All" refers to the fishing methods allowed. If a water area is not listed or if a specific species is not listed, then state-wide restrictions apply. Check the bulletin boards at the specific site for any emergency changes to regulations.~~

Allison Lake, City of Allison
Logan County

All Fish
Channel Catfish

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

Andover Lake, City of Andover
Henry County
Channel Catfish

- 6 Fish Daily Creel Limit

Apple River, State of Illinois
Carroll County

trout

- Spring-Closed-Season--(11)

Argyle Lake, Argyle Lake State Park
McDonough County

All Fish
Channel Catfish

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

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Large or Smallmouth Bass (14)
- 1 Fish more than 15" and/or
5 less than 12" Daily (12)
--Fall-Closed-Season--(10)

trout

Ashland City Reservoir, City of Ashland
Cass County

All Fish
Channel Catfish
Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit

Ashley Reservoir, City of Ashley
Washington County

All Fish
Channel Catfish
Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length

Auburn Park Lagoon, Chicago Park District
Cook County

All Fish
Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

Axehead---lake---Cook---County---Forest
Preserve
Cook County

trout

- Fall-Closed-Season--(10)

Baker Lake, City of Peru
LaSalle County

All Fish
Bluegill or Redear Sunfish
Channel Catfish
Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 10 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 1 Fish Daily Creel Limit

Baldwin Lake, Baldwin Lake Conservation Area
Randolph County

All Fish
Large or Smallmouth Bass (14)
Striped, White, or Hybrid
Striped Bass
Striped, White, or Hybrid
Striped Bass (16)
White, Black, or Hybrid
Crappie (15)
White, Black, or Hybrid
Crappie (15)
- 2 Pole and Line Fishing Only (1)
- 18" Minimum Length Limit
- 17" Minimum Length Limit
- 3 Fish Daily Creel Limit
- 25 Fish Daily Creel Limit
- 9" Minimum Length Limit

Banana Lake, Lake County Forest Preserve District
Lake County

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Coles-County
 Trout --Fall-Closed-Season-††††
 Trout --Spring-Closed-Season-††††

Canton-P-B-Lakes-&-Ponds-City-of-Canton
Pulaski-County
 All --2-Pole-and-Line-Fishing-Only-††††
 Channel-Catfish --6-Fish-Daily-Creel-Limit

Canton-Park-Bist-Trout-Pond-City-of-Canton
Pulaski-County
 Trout Fall-Closed-Season-††††

Carlyle Lake (20), U.S. Army Corps of Engineers
 Clinton County
 Large or Smallmouth Bass ††††
 Walleye, or Sauger, or Hybrid
 Walleye ††††
 White, Black, or Hybrid
 Crappie (15)
 White, Black, or Hybrid
 Crappie ††††

Carthage Lake, City of Carthage
 Hancock County
 Channel Catfish

Cave-in-Rock-State-Park-Pond-Cave-in-Rock-State-Park
Hardin-County
 Trout --Fall-Closed-Season-††††
 Trout --Spring-Closed-Season-††††

Cedar Lake, U.S. Forest Service and City of Carbondale
 Jackson County
 All Fish
 Large or Smallmouth Bass ††††
 Striped, White, or Hybrid
 Striped Bass
 Striped, White, or Hybrid
 Striped Bass (16)
 Walleye, or Sauger, or Hybrid
 Walleye ††††

Centralia Lake, City of Centralia
 Marion County
 Large or Smallmouth Bass ††††

Charleston Lower Channel Lake, City of Charleston
 Coles County

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All Fish
 Charleston Side Channel Lake, City of Charleston
 Coles County
 All Fish
 Channel Catfish
 Large or Smallmouth Bass ††††
 Striped, White, or Hybrid
 Striped Bass
 Striped, White, or Hybrid
 Striped Bass (16)

Charlie Brown Lake & Pond, City of Flora
 Clay County
 All Fish
 Channel Catfish
 Large or Smallmouth Bass ††††

Citizen's Lake (North)-City-of-Monmouth, State of Illinois
Warren County
 All Fish
 Bluegill or Redear Sunfish (14)
 Channel Catfish
 Large or Smallmouth Bass-††††
 Large or Smallmouth Bass
 Large or Smallmouth Bass (14)

Citizen's Lake (North)-City-of-Monmouth
Warren County
 Trout --Fall-Closed-Season-††††

Clear-Lake-Kickapoo-State-Park
Vermilion-County
 Trout --Fall-Closed-Season-††††
 Trout --Spring-Closed-Season-††††

Clinton Lake, Clinton Lake State Recreation Area
 DeWitt County
 All Fish
 Large or Smallmouth Bass ††††
 Striped, White, or Hybrid
 Striped Bass
 Striped, White, or Hybrid
 Striped Bass (16)
 Walleye or Sauger ††††
 White, Black, or Hybrid
 Crappie (15)
 White, Black, or Hybrid

All Fish
 Only (1)(18)
 --14" Minimum Length Limit
 --17" Minimum Length Limit
 --3 Fish Daily Creel Limit
 --14" Minimum Length Limit
 --25 Fish Daily Creel Limit

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Crappie †35†

Coal Creek Fish and Wildlife Area, State of Illinois

Bureau County

All Fish

- 2 Pole and Line Fishing Only (1)

- 10 Fish Daily Creel Limit

Bluegill or Redear Sunfish (14)

- 6 Fish Daily Creel Limit

Channel Catfish

- 14" Minimum Length Limit

Large or Smallmouth Bass †14†

- 1 Fish Daily Creel Limit

Large or Smallmouth Bass (14)

Coffee Lake, Coffee Lake State Fish and Wildlife Area

Montgomery County

- 15" Minimum Length Limit

Large or Smallmouth Bass †14†

- 3 Fish Daily Creel Limit

Large or Smallmouth Bass (14)

White, Black, or Hybrid

Crappie (15)

- 10 Fish Daily Creel Limit

White, Black, or Hybrid

Crappie †35†

- 9" Minimum Length Limit

Coles County Airport Lake, Coles County Airport

Coles County

- 2 Pole and Line Fishing Only (1)

All Fish

- 6 Fish Daily Creel Limit

Channel Catfish

- 14" Minimum Length Limit

Large or Smallmouth Bass

Coleta-Trout-Pond--State-of-Illinois

Whiteside-County

All Fish

--2-Pole-and-Line-Fishing-Only-†14†

Trout

--Pati-Closed-Season-†10†

Trout

--Spring-Closed-Season-†11†

Columbus Park Lagoon, Chicago Park District

Cook County

- 2 Pole and Line Fishing Only (1)

All Fish

- 6 Fish Daily Creel Limit

Channel Catfish

Cook Co. F.P.D. Lakes, Cook County Forest Preserve District

Cook County

- 2 Pole and Line Fishing Only (1)

All Fish

- 2 Pole and Line Fishing Only (1)

Coulterville City Lake, City of Coulterville

Randolph County

- 2 Pole and Line Fishing Only (1)

All Fish

- 6 Fish Daily Creel Limit

Channel Catfish

Crab Orchard Lake, Crab Orchard National Wildlife Refuge

Williamson County

- 2 Pole and Line Fishing Only (1)

All Fish

--17a--Minimum-Length-Bsmt

Striped-White-Hybrid-Bass

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Striped-White-Hybrid
 Bass-††6†
 Striped, White, or Hybrid
Striped Bass (16)
 Crab Orchard Lake & Refuge Ponds (except Visitor Pond), Crab Orchard National
 Wildlife Refuge
 Williamson County
 Large or Smallmouth Bass
 - 15" Minimum Length Limit
 Crawford Co. Cons. Area ponds, Crawford County Conservation Area
 Crawford County
 All Fish
 Channel Catfish
 Large or Smallmouth Bass ††4†
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
 Dawson Lake & Park Ponds, Moraine View State Park
 McLean County
 All Fish
 Channel Catfish
 Large or Smallmouth Bass ††4†
 Walleye, or Sauger, or Hybrid
 Walleye ††4†
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
 - 14" Minimum Length Limit
 Decatur Park Dist. Ponds, City of Decatur
 Macon County
 All Fish
 Channel Catfish
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 Defiance Lake, Moraine Hills State Park
 McHenry County
 All Fish
 Channel Catfish
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit
 - 3 Fish Daily Creel Limit
 Devil's Kitchen Lake, U.S. Fish and Wildlife Service
 Williamson County
 All Fish
 - 2 Pole and Line Fishing Only (1)
 Bixen-Springs-Ag-Center-Pondy-Bixen-Springs-Ag-Center
 Pope-County
 Trout
 Trout
 - Fall-Closed-Season-††0†
 - Spring-Closed-Season-††††
 Dolan Lake, Hamilton County Conservation Area
 Hamilton County
 All Fish
 - 2 Pole and Line Fishing Only (1)

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Channel Catfish
Large or Smallmouth Bass (14)
Walleye, or Sauger, or Hybrid
Walleye (14)
-- 6 Fish Daily Creel Limit
-- 14" Minimum Length Limit
-- 14" Minimum Length Limit
-- 2 Pole and Line Fishing Only (1)
-- 6 Fish Daily Creel Limit
-- 6 Fish Daily Creel Limit
-- 2 Pole and Line Fishing Only (1)
-- 6 Fish Daily Creel Limit
-- 2 Pole and Line Fishing Only (1)
-- 6 Fish Daily Creel Limit
-- 2 Pole and Line Fishing Only (1)
-- 6 Fish Daily Creel Limit
-- 12-15" Slot Length Limit (3)
-- 14" Minimum Length Limit
-- 25 Fish Daily Creel Limit
-- 15" Minimum Length Limit
-- 35" Minimum Length Limit
-- Fall-Closed-Season (10)
-- 2 Pole and Line Fishing Only (1)
-- 6 Fish Daily Creel Limit
-- Fall-Closed-Season (10)
-- Spring-Closed-Season (11)
Pitch-and-Bond-Baker-Canton-Park District
Pulton-County

Channel Catfish
Large or Smallmouth Bass (14)
Walleye, or Sauger, or Hybrid
Walleye (14)
-- 6 Fish Daily Creel Limit
-- 14" Minimum Length Limit
-- 14" Minimum Length Limit
-- 2 Pole and Line Fishing Only (1)
-- 6 Fish Daily Creel Limit
-- 6 Fish Daily Creel Limit
-- 2 Pole and Line Fishing Only (1)
-- 6 Fish Daily Creel Limit
-- 12-15" Slot Length Limit (3)
-- 14" Minimum Length Limit
-- 25 Fish Daily Creel Limit
-- 15" Minimum Length Limit
-- 35" Minimum Length Limit
-- Fall-Closed-Season (10)
-- 2 Pole and Line Fishing Only (1)
-- 6 Fish Daily Creel Limit
-- Fall-Closed-Season (10)
-- Spring-Closed-Season (11)
Pitch-and-Bond-Baker-Canton-Park District
Pulton-County

Channel Catfish
Large or Smallmouth Bass (14)
Walleye, or Sauger, or Hybrid
Walleye (14)
-- 6 Fish Daily Creel Limit
-- 14" Minimum Length Limit
-- 14" Minimum Length Limit
-- 2 Pole and Line Fishing Only (1)
-- 6 Fish Daily Creel Limit
-- 6 Fish Daily Creel Limit
-- 2 Pole and Line Fishing Only (1)
-- 6 Fish Daily Creel Limit
-- 12-15" Slot Length Limit (3)
-- 14" Minimum Length Limit
-- 25 Fish Daily Creel Limit
-- 15" Minimum Length Limit
-- 35" Minimum Length Limit
-- Fall-Closed-Season (10)
-- 2 Pole and Line Fishing Only (1)
-- 6 Fish Daily Creel Limit
-- Fall-Closed-Season (10)
-- Spring-Closed-Season (11)
Pitch-and-Bond-Baker-Canton-Park District
Pulton-County

Channel Catfish
Large or Smallmouth Bass (14)
Walleye, or Sauger, or Hybrid
Walleye (14)
-- 6 Fish Daily Creel Limit
-- 14" Minimum Length Limit
-- 14" Minimum Length Limit
-- 2 Pole and Line Fishing Only (1)
-- 6 Fish Daily Creel Limit
-- 6 Fish Daily Creel Limit
-- 2 Pole and Line Fishing Only (1)
-- 6 Fish Daily Creel Limit
-- 12-15" Slot Length Limit (3)
-- 14" Minimum Length Limit
-- 25 Fish Daily Creel Limit
-- 15" Minimum Length Limit
-- 35" Minimum Length Limit
-- Fall-Closed-Season (10)
-- 2 Pole and Line Fishing Only (1)
-- 6 Fish Daily Creel Limit
-- Fall-Closed-Season (10)
-- Spring-Closed-Season (11)
Pitch-and-Bond-Baker-Canton-Park District
Pulton-County

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All
Channel-Catfish
Forbes State Lake, Stephen A. Forbes State Park
Marion County
Striped, White, or Hybrid
Striped Bass
Striped, White, or Hybrid
Striped Bass (16)
-- 17" Minimum Length Limit
-- 3 Fish Daily Creel Limit
Forbes State Lake & Ponds, Stephen A. Forbes State Park
Marion County
All Fish
Channel Catfish
Large or Smallmouth Bass (14)
-- 2 Pole and Line Fishing Only (1)(5)
-- 6 Fish Daily Creel Limit
-- 14" Minimum Length Limit
Forest Park Lagoon, City of Shelbyville
Shelby County
All Fish
Channel Catfish
Trout
Trout
-- 2 Pole and Line Fishing Only (1)
-- 6 Fish Daily Creel Limit
-- Fall-Closed-Season (10)
-- Spring-Closed-Season (11)
Four Lakes, Winnebago County Forest Preserve
Winnebago County
All Fish
Channel Catfish
-- 2 Pole and Line Fishing Only (1)
-- 6 Fish Daily Creel Limit
Fox Chain O'Lakes, State of Illinois
Lake County
Large or Smallmouth Bass (14)
Pure Muskellunge
Walleye, or Sauger, or Hybrid
Walleye (14)
Walleye, Sauger, or Hybrid
Walleye (14)
-- 14" Minimum Length Limit (6)
-- 36" Minimum Length Limit
-- 16" 18" Minimum Length Limit (6)
-- 3 Fish Daily Creel Limit
Fox-Ridge-Lake-Fox-Ridge-State-Park
Coles-County
All
Channel-Catfish
Barge-or-Smallmouth-Bass (14)
Walleye-or-Sauger (14)
-- 2 Pole and Line Fishing Only (1)
-- 14" Minimum Length Limit
-- 14" Minimum Length Limit
-- 14" Minimum Length Limit
Frank Holten Lakes, Frank Holten State Park
St. Clair County
All Fish
Channel Catfish
Large or Smallmouth Bass (14)
-- 2 Pole and Line Fishing Only (1)
-- 6 Fish Daily Creel Limit
-- 14" Minimum Length Limit

DEPARTMENT OF CONSERVATION

NOTICE OF ADOPTED AMENDMENT(S)

trout
trout
 Franklin Creek, Franklin Creek State Natural Area
 Lee County
 All Fish
 - 2 Pole and Line Fishing Only (1)(9)
 Gale Lake, Village of East Galesburg
 Knox County
 All Fish
 - 2 Pole and Line Fishing Only (1)
 - 10 Fish Daily Creel Limit
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
 - 3 Fish Daily Creel Limit
 Game-Farm-Pond-Mt.-Vernon-Mt.-Vernon-Game-Farm
 Jefferson-County
 trout
 trout
 --Fall-Closed-Season-††††
 --Spring-Closed-Season-††††
 Garfield Park Lagoon, Chicago Park District
 Cook County
 All Fish
 Channel Catfish
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 Gabhard Woods Ponds, Gebhard Woods State Park
 Grundy County
 All Fish
 trout
 - 2 Pole and Line Fishing Only (1)
 --Spring-Closed-Season-††††
 Gillespie New City Lake, City of Gillespie
 Macoupin County
 Channel Catfish
 Large or Smallmouth Bass †††
 Large or Smallmouth Bass (14)
 - 6 Fish Daily Creel Limit
 - 12-15" Slot Length Limit (3)
 - 3 Fish Daily Creel Limit
 Gillespie Old City Lake, City of Gillespie
 Macoupin County
 All Fish
 Channel Catfish
 Large or Smallmouth Bass †††
 Large or Smallmouth Bass (14)
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
 - 3 Fish Daily Creel Limit
 Gladstone Lake, Henderson County Conservation Area
 Henderson County
 All Fish
 Bluegill or Redear Sunfish (14)
 Channel Catfish
 Large or Smallmouth Bass †††
 - 2 Pole and Line Fishing Only (1)
 - 10 Fish Daily Creel Limit
 - 6 Fish Daily Creel Limit
 - 12-15" Slot Length Limit (3)

DEPARTMENT OF CONSERVATION

NOTICE OF ADOPTED AMENDMENT(S)

Large or Smallmouth Bass (14)
 - 3 Fish Daily Creel Limit
 Glen Shoals Lake, City of Hillsboro
 Montgomery County
 Large or Smallmouth Bass †††
 Large or Smallmouth Bass (14)
 Striped, White, or Hybrid
 Striped Bass
 Striped, White, or Hybrid
 Striped Bass (16)
 - 15" Minimum Length Limit
 - 3 Fish Daily Creel Limit
 - 17" Minimum Length Limit
 - 3 Fish Daily Creel Limit
 Gompers Park Lagoon, Chicago Park District
 Cook County
 All Fish
 Channel Catfish
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 Gordon F. More Park Lake, City of Alton
 Madison County
 All Fish
 Bluegill or Redear Sunfish (14)
 Channel Catfish
 Large or Smallmouth Bass (14)
 - 2 Pole and Line Fishing Only (1)
 - 25 Fish Daily Creel Limit
 - 6 Fish Daily Creel Limit
 - 2 Fish <15" &/or 1 Fish >or= 15"
 Daily (25)
 Governor Bond Lake, City of Greenville
 Bond County
 Large or Smallmouth Bass †††
 Large or Smallmouth Bass (14)
 Striped, White, or Hybrid
 Striped Bass
 Striped, White, or Hybrid
 Striped Bass (16)
 - 15" Minimum Length Limit
 - 3 Fish Daily Creel Limit
 - 17" Minimum Length Limit
 - 3 Fish Daily Creel Limit
 Greenfield City Lake, City of Greenfield
 Green County
 All Fish
 Channel Catfish
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 Greenville Old City Lake, City of Greenville
 Bond County
 All Fish
 Channel Catfish
 trout
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 --Fall-Closed-Season-††††
 Harrisburg New City Reservoir, City of Harrisburg
 Saline County
 All Fish
 Channel Catfish
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit

DEPARTMENT OF CONSERVATION

NOTICE OF ADOPTED AMENDMENT(S) :

Heidecke Lake, Heidecke Lake State Fish and Wildlife Area

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 18" Minimum Length Limit
- 3 Fish Daily Creel Limit
- 10 Creel/3 Fish 17" or Longer Daily (17)
- 14" 22" Minimum Length Limit
- 3 Fish Daily Creel Limit

Hennepin Canal, Hennepin Canal Parkway State Park
Multiple Counties

- | | |
|-------------------------------|------------------------------------|
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Large or Smallmouth Bass (14) | - 14" Minimum Length Limit |
| Trout | -- Fall-Closed-Season-(10) |
| Trout | -- Spring-Closed-Season-(11) |

Hennepin Canal-Mainline & Feeder, Hennepin Canal Parkway State Park
Multiple Counties

- Large or Smallmouth Bass †44
Walleye, or Sauger, or Hybrid
Walleye †44

Herrick Lake, DuPage County Forest Preserve District
DuPage County

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

Hidden Springs State Forest Ponds, Hidden Springs State Forest

- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit
- All Fish
Channel Catfish
Large or Smallmouth Bass (14)

Highland Old City Lake, City of Highland

- County
All Fish
Channel Catfish
Trout
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - Pail-Closed-Season-1107

Hillsboro Old City Lake, City of Hillsboro

- Emery County
All Fish
- 2 Pole and Line Fishing Only (1)

DEPARTMENT OF CONSERVATION

NOTICE OF ADOPTED AMENDMENT(S)

- 6 Fish Daily Creel Limit
- 12-15" Slot Length Limit (3)

Channel Catfish

Large or Smallmouth Bass (14)

Homer Lake, Champaign County Forest Preserve District
Champaign County

- All Fish
- Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- Large or Smallmouth Bass (14)

Hormel Ponds, Donnelly State Fish and Wildlife Area

- County
All Fish
- 2 Pole and Line Fishing
Only (1)(19)

Channel Catfish
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit

Horseshoe Lake-Alexander Co., Horseshoe Lake Conservation Area

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit

Horton Lake, Nauvoo State Park

- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
- Channel Catfish

Humbolt Park Laqoon, Chicago Park District

- County _____
All Fish
Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

Ill. Dept. of Transportation Lake, State of Illinois

- 2 Pole and Line Fishing Only (1)
 All Fish
 Channel Catfish
 Trout
 Trout
 -- Fall-Closed-Season-(10)
 -- Spring-Closed-Season-(11)

Illinois & Michigan Canal, State of Illinois
Grundy/LaSalle Counties

- All Fish**
Channel Catfish

Illinois Beach State Park Ponds, Illinois Beach State Park

- County
All Fish
Channel Catfish

DEPARTMENT OF CONSERVATION

NOTICE OF ADOPTED AMENDMENT(S)

Jackson Park Lagoon (including Columbia Basin) Lagoon, Chicago Park District
Cook County

- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
- All Fish
Channel Catfish

Johnson Sauk Trail Lake & Pond, Johnson Sauk Trail State Park
Henry County

- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit
- Large or Smallmouth Bass $\pm 4\pm$

Jones Park Lake, City of East St. Louis
St. Clair County

- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
- Channel Catfish
 \pm trout
 \pm trout
- Fall-Closed-Season- $\pm 10\pm$
--Spring-Closed-Season- $\pm 11\pm$

Jones State Lake, Saline County Conservation Area

- Saline County
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit
- Channel Catfish
Large or Smallmouth Bass $\pm 4\pm$

Jones-State-Lake-Pond-Saline-County-Conservation-Area

- Saline-County
 \pm trout
 \pm trout
- Fall-Closed-Season- $\pm 10\pm$
--Spring-Closed-Season- $\pm 11\pm$

Jubilee College State Park Ponds, Jubilee College State Park

- Peoria County
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
- All Fish
Channel Catfish

Kaskaskia River & all tributaries, State of Illinois

- Multiple Counties
- Walleye, or Sauger, or Hybrid
Walleye $\pm 4\pm$

- 14" Minimum Length Limit

Kendall Co. Lake #1, Kendall County Forest Preserve District

- Kendall County
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit
 - 3 Fish Daily Creel Limit
- Channel Catfish
Large or Smallmouth Bass $\pm 4\pm$
Large or Smallmouth Bass (14)

Kent-Creek-State-of-Illinois

- Winnebago-County
 \pm trout

- Spring-Closed-Season- $\pm 11\pm$

DEPARTMENT OF CONSERVATION

NOTICE OF ADOPTED AMENDMENT(S)

Kickapoo State Park Lakes & Ponds, Kickapoo State Park
Vermillion County

- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
- All Fish
Channel Catfish

Kinkaid Lake, Kinkaid Lake State Fish and Wildlife Area

- Jackson County
- 18" Minimum Length Limit
 - 36" Minimum Length Limit
- Large or Smallmouth Bass $\pm 4\pm$
Pure Muskellunge
Walleye, or Sauger, or Hybrid
Walleye $\pm 4\pm$
- 14" Minimum Length Limit

Lake Atwood, McHenry County Conservation District

- McHenry County
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
- All Fish
Channel Catfish
 \pm trout
- Spring-Closed-Season- $\pm 11\pm$

Lake Bloomington, City of Bloomington

- McLean County
- 15" Minimum Length Limit
 - 17" Minimum Length Limit
- Large or Smallmouth Bass $\pm 4\pm$
Striped, White, or Hybrid
Striped Bass
Striped, White, or Hybrid
Striped Bass (16)
Walleye, or Sauger, or Hybrid
Walleye $\pm 4\pm$
- 3 Fish Daily Creel Limit
 - 14" Minimum Length Limit

Lake Carlton, Morrison-Rockwood State Park

- Whiteside County
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 1 Fish Daily Creel Limit
 - 14" Minimum Length Limit
 - 36" Minimum Length Limit
- All Fish
Channel Catfish
Large or Smallmouth Bass (14)
Large or Smallmouth Bass $\pm 4\pm$
Pure Muskellunge
Walleye, or Sauger, or Hybrid
Walleye $\pm 4\pm$
White, Black, or Hybrid
Crappie (15)
- 14" Minimum Length Limit
 - 25 Fish Daily Creel Limit

Lake Co. Forest Preserve District Lakes, Lake County Forest Preserve District

- Lake County
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 1 Fish Daily Creel Limit
 - 15" Minimum Length Limit
- All Fish
Channel Catfish
Large Smallmouth Bass (14)
Large or Smallmouth Bass $\pm 4\pm$

Lake Decatur, City of Decatur

- Macon County

DEPARTMENT OF CONSERVATION

NOTICE OF ADOPTED AMENDMENT(S)

- 2 Pole and Line Fishing Only (1)
- 15" minimum Length Limit
- 14" Minimum Length Limit
- 25 Fish Daily Creel Limit
- 9" Minimum Length Limit

Lake Storey, City of Galesburg
Knox County

- 2 Pole and Line Fishing Only (1)
- 25 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 12-15" Slot Length Limit (3)

Winnipeg - 1000

- 2-Pole-and-bine-Fishing-Only-(11)
--6-Pish-Daily-Creet-bimt
--14-Minimum-length-bimt

Lake Vandalia, City of Vandalia
Fayette County

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 17" Minimum Length Limit
- 3 Fish Daily Creel Limit

Channel C
Large or

- 17" Minimum Length Limit
- 3 Fish Daily Creel Limit

Lake Vermilion, Vermilion County

- 2 Pole and Line Fishing Only (26)
- 15" Minimum Length Limit (23)
- 36" Minimum Length Limit (23)
- 14" Minimum Length Limit (23)

Lake Williamsville, City of Williamsville
Sangamon County

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit

LaSalle Lake, LaSalle Power Station

DEPARTMENT OF CONSERVATION	DEPARTMENT OF CONSERVATION
NOTICE OF ADOPTED AMENDMENT(S)	NOTICE OF ADOPTED AMENDMENT(S)
<p>LaSalle County</p> <p>All Fish</p> <p>Large or Smallmouth Bass (14)</p> <p>Large or Smallmouth Bass †††</p> <p>Striped, White, or Hybrid</p> <p>Striped Bass (16)</p> <p>- 2 Pole and Line Fishing Only (1)</p> <p>- 1 Fish Daily Creel Limit</p> <p>- 18" Minimum Length Limit</p> <p>- 10 Creel/3 Fish 17" or Longer Daily (17)</p> <p>Lincoln Log Cabin Pond, Lincoln Log Cabin Historical Site</p> <p>Coles County</p> <p>All Fish</p> <p>- 2 Pole and Line Fishing Only (1)</p> <p>Lincoln Park North Lagoon, Chicago Park District</p> <p>Cook County</p> <p>All Fish</p> <p>Channel Catfish</p> <p>- 2 Pole and Line Fishing Only (1)</p> <p>- 6 Fish Daily Creel Limit</p> <p>Lincoln Park South Lagoon, Chicago Park District</p> <p>Cook County</p> <p>All Fish</p> <p>Channel Catfish</p> <p>- 2 Pole and Line Fishing Only (1)</p> <p>- 6 Fish Daily Creel Limit</p> <p>Lincoln Trail Lake, Lincoln Trail State Park</p> <p>Clark County</p> <p>All Fish</p> <p>Channel Catfish</p> <p>Large or Smallmouth Bass †††</p> <p>- 2 Pole and Line Fishing Only (1)</p> <p>- 6 Fish Daily Creel Limit</p> <p>- 12-15" Slot Length Limit (3)</p> <p>Little Black Slough, Little Black Slough State Natural Area</p> <p>Johnson County</p> <p>All Fish</p> <p>All Fish</p> <p>- 2 Pole and Line Fishing Only (1)</p> <p>- No Seines</p> <p>Little Cedar Lake, Shawnee National Forest</p> <p>Jackson County</p> <p>All Fish</p> <p>Channel Catfish</p> <p>- 2 Pole and Line Fishing Only (1)</p> <p>- 6 Fish Daily Creel Limit</p> <p>Little Grassy Lake, U.S. Fish and Wildlife Service</p> <p>Williamson County</p> <p>All Fish</p> <p>Channel Catfish</p> <p>Large or Smallmouth Bass †††</p> <p>- 2 Pole and Line Fishing Only (1)</p> <p>- 6 Fish Daily Creel Limit</p> <p>- 12-15" Slot Length Limit (3)</p> <p>Little Sister Lake, County of Fulton</p> <p>Fulton County</p> <p>All Fish</p> <p>Bluegill or Redear Sunfish (14)</p> <p>Channel Catfish</p> <p>- 2 Pole and Line Fishing Only (1)</p> <p>- 10 Fish Daily Creel Limit</p> <p>- 6 Fish Daily Creel Limit</p>	<p>Large or Smallmouth Bass †††</p> <p>Large or Smallmouth Bass (14)</p> <p>- 15" Minimum Length Limit</p> <p>- 3 Fish Daily Creel Limit</p> <p>Lou Yeager Lake, City of Litchfield</p> <p>Montgomery County</p> <p>Large or Smallmouth Bass †††</p> <p>Large or Smallmouth Bass (14)</p> <p>- 15" minimum Length Limit</p> <p>- 3 Fish Daily Creel Limit</p> <p>Lower Cache River, Lower Cache River State Natural Area</p> <p>Pulaski/Johnson Counties</p> <p>All Fish</p> <p>All Fish</p> <p>- 2 Pole and Line Fishing Only (1)</p> <p>- No Seines</p> <p>Lyerla Lake, Union County Conservation Area</p> <p>Union County</p> <p>All Fish</p> <p>Channel Catfish</p> <p>- 2 Pole and Line Fishing Only (1)</p> <p>- 6 Fish Daily Creel Limit</p> <p>Macon County Conservation District Ponds, Macon County Conservation District</p> <p>Macon County</p> <p>All Fish</p> <p>Channel Catfish</p> <p>- 2 Pole and Line Fishing Only (1)</p> <p>- 6 Fish Daily Creel Limit</p> <p>Maple Lake, Cook County Forest Preserve District</p> <p>Cook County</p> <p>All Fish</p> <p>Channel Catfish</p> <p>- 2 Pole and Line Fishing Only (1)</p> <p>- 6 Fish Daily Creel Limit</p> <p>Marquette Park Lagoon, Chicago Park District</p> <p>Cook County</p> <p>All Fish</p> <p>Channel Catfish</p> <p>- 2 Pole and Line Fishing Only (1)</p> <p>- 6 Fish Daily Creel Limit</p> <p>Marshall County Conservation Area (Fishing Ditch), Marshall County Conservation Area</p> <p>Marshall County</p> <p>All Fish</p> <p>- 2 Pole and Line Fishing Only (1)</p> <p>- 14" Minimum Length Limit</p> <p>Mattoon Lake, City of Mattoon</p> <p>Coles County</p> <p>All Fish</p> <p>Large or Smallmouth Bass †††</p> <p>- 2 Pole and Line Fishing Only (1)</p> <p>Mazonia-Braidwood Lakes & Ponds, Mazonia-Braidwood State Fish and Wildlife Area</p> <p>Grundy/Will Counties</p> <p>All Fish</p> <p>Channel Catfish</p> <p>Large or Smallmouth Bass †††</p> <p>- 2 Pole and Line Fishing Only (1)</p> <p>- 6 Fish Daily Creel Limit</p> <p>- 15" Minimum Length Limit</p>

DEPARTMENT OF CONSERVATION

NOTICE OF ADOPTED AMENDMENT(S)

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- Spring-Closed-Season--(11)

Mineral Springs Park Lagoon, City of Pekin
Tazewell County

Front

ALL FISH Channel Catfish

Mississippi River (between IL & IA), State of Illinois
Multiple CountiesMississippi River
the Counties

Large or Smallmouth Bass (144)

- 10 Fish Daily Creel Limit (24)
- 15" Minimum Length Limit

Mississippi River

Mississippi River (between IL
le Counties

- 1 Fish Daily Creel Limit
- 8 Fish Daily Creel Limit

Reservoir: W

Reservoir, Will County Forest
county

All Fish

Channel Catfish
Large or Smallmouth Bass (14)
- 6 Fish Da
- 1 Fish Da
- 1 Fish Da

Large or
Large or

Charge of Smallmouth Bass

Se Lake, City of Montrose
land County

2 Pole and Line Fishing Only (1)
6 Fish Daily Creel Limit

Charge or :

Charge of Smallmouth Bass (1947)

in County

All Fish

6 Fish Daily Creel Limit

erling Lak

Stirling Lake, City of Mt. Sterling
County

6 Fish Daily Creel Limit

Large or Smallmouth Bass

onds), City of Mundeleint

2 Pole and Line Fishing On

ALL FISH Channel Ca

6 Fish Daily Creel Limit

DEPARTMENT OF CONSERVATION

NOTICE OF ADOPTED AMENDMENT(S)

Large-or-Smallmouth-Bass-(14)
Pure Muskellunge

Palmyra City Lake & Terry Park Pond, City of Palmyra
Macoupin County
All Fish
Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

Pana Lake, City of Pana
Shelby and Christian Counties

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass (14+)	- 14" Minimum Length Limit

Paris East & West Lakes, City of Paris
Edgar County
All Fish
Channel Catfish
Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
Peelman Lake, Kickapoo State Park
Vermilion County
Large or Smallmouth Bass (14)
- 14" Minimum Length Limit
Picnic--Pond--Crawford--Boys--Cons--Area--Crawford--County
Conservation--Area

Picnic--Pond-Crawford-Co.--Cons.--Area--Crawford---County
Conservation-Area
Crawford-County
trout
--Ball-Closed-Season--trout

Pierce Lake, Rock Cut State Park
Winnepago County
All Fish

- 2 Pole and Line Fishing Only (1)(8)
- 5 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 1 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 36" Minimum Length Limit
- 14" Minimum Length Limit
- 525 Fish Daily Creel Limit

Bluegill or Redear Sunfish (14)
Channel Catfish
Large or Smallmouth Bass (14)
Large or Smallmouth Bass ~~†††~~
Pure Muskellunge
Walleye, or Sauger, or Hybrid
Walleye ~~†††~~
White, Black, or Hybrid
Crappie (15)

Walleye (+4+)
White, Black, or Hybrid

- 14" Minimum Length Limit

Crappie (15)

- 525 Fish Daily Creel Limit

Pine-Creeky State-of-Illinois	
Ogle-County	
trout	--Spring-Closed-Season-4-1-1
Piscasaw Creek, State of Illinois	
McHenry County	
Trout	- 9" Minimum Length Limit

DEPARTMENT OF CONSERVATION

NOTICE OF ADOPTED AMENDMENT(S)

<u>Trout</u>	--Spring-Closed-Season-(†††)
Pittsfield City Lake, City of Pittsfield Pike County	- 14" Minimum Length Limit
Large or Smallmouth Bass (†††)	- 17" Minimum Length Limit
Striped, White, or Hybrid	- 3 Fish Daily Creel Limit
Striped Bass	- 14" Minimum Length Limit
Striped, White, or Hybrid	
Striped Bass (16)	
Walleye, or Sauger, or Hybrid	
Walleye (†††)	
Pocahontas Park Pond, City of Pocahontas Bond County	- 2 Pole and Line Fishing Only (1)
All Fish	- 6 Fish Daily Creel Limit
Channel Catfish	
Pounds Hollow Lake, Shawnee National Forest Gallatin County	- 2 Pole and Line Fishing Only (1)
All Fish	- 6 Fish Daily Creel Limit
Channel Catfish	
Powerton Lake, Powerton Lake Fish and Wildlife Area Tazewell County	- 2 Pole and Line Fishing Only (1)
All Fish	- 6 Fish Daily Creel Limit
Channel Catfish	- 14" 18" Minimum Length Limit
Large or Smallmouth Bass (†††)	- 3 Fish Daily Creel Limit
Large or Smallmouth Bass (14)	
Striped, White, or Hybrid	
Striped Bass (16)	- 10 Creel/3 Fish 17" or Longer Daily (17)
Walleye, or Sauger, or Hybrid	
Walleye (14)	- 1 Fish Daily Creel Limit
Walleye, or Sauger, or Hybrid	- 2224" Minimum Length Limit
Walleye (†††)	
Pratt Wayne Woods Lakes, DuPage County Forest Preserve DuPage County	- 2 Pole and Line Fishing Only (1)
All Fish	- 6 Fish Daily Creel Limit
Channel Catfish	
Prospect-Pond, City-of-Moline Rock-Island-County	--Patt-Closed-Season-(†††)
<u>Trout</u>	
Pyramid State Park Lakes & Ponds, Pyramid State Park Perry County	- 2 Pole and Line Fishing Only (1)
All Fish	- 6 Fish Daily Creel Limit
Channel Catfish	

DEPARTMENT OF CONSERVATION

NOTICE OF ADOPTED AMENDMENT(S)

Ramsey Lake, Ramsey Lake State Park Fayette County	- 2 Pole and Line Fishing Only (1)
All Fish	- 25 Fish Daily Creel Limit
Bluegill or Redear Sunfish (14)	- 6 Fish Daily Creel Limit
Channel Catfish	- 14" Minimum Length Limit
Large or Smallmouth Bass (†††)	
White, Black, or Hybrid	
Crappie (15)	- 10 Fish Daily Creel Limit
White, Black, or Hybrid	
Crappie (†††)	- 9" Minimum Length Limit
Randolph County Lake, Randolph County Conservation Area Randolph County	- 2 Pole and Line Fishing Only (1)
All Fish	- 6 Fish Daily Creel Limit
Channel Catfish	- 14" Minimum Length Limit
Large or Smallmouth Bass (†††)	- 3 Fish Daily Creel Limit
Large or Smallmouth Bass (14)	--Patt-Closed-Season-(†††)
<u>Trout</u>	
Walleye, or Sauger, or Hybrid	- 14" Minimum Length Limit
Walleye (†††)	
Red Hills Lake, Red Hills State Park Lawrence County	- 2 Pole and Line Fishing Only (1)
All Fish	- 6 Fish Daily Creel Limit
Channel Catfish	- 15" Minimum Length Limit
Large or Smallmouth Bass (†††)	
Rend Lake, (22) U.S. Army Corps of Engineers Franklin County	- 14" Minimum Length Limit
Large or Smallmouth Bass (†††)	
Rend Lake Project Ponds, U.S. Army Corps of Engineers Franklin County	- 2 Pole and Line Fishing Only (1)
All Fish	- 6 Fish Daily Creel Limit
Channel Catfish	- 14" Minimum Length Limit
Large or Smallmouth Bass (†††)	- 3 Fish Daily Creel Limit
Large or Smallmouth Bass (14)	
Ridge Lake, Fox Ridge State Park Coles County	- 2 Pole and Line Fishing Only (1)
All Fish	- 14" Minimum Length Limit
Channel Catfish	- 14" Minimum Length Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Walleye, Sauger, or Hybrid	
Walleye	
Riis Park Lagoon, Chicago Park District Cook County	- 2 Pole and Line Fishing Only (1)
All Fish	

DEPARTMENT OF CONSERVATION

NOTICE OF ADOPTED AMENDMENT(S)

Channel Catfish

- 6 Fish Daily Creel Limit

Rock-Creek-7-State-of-Illinois

Kankakee-County

--Spring-Closed-Season-(11)

Rock River Main Stem Only, State of Illinois

Multiple Counties

- 12" Minimum Length Limit

Large or Smallmouth Bass (14)

Walleye, or Sauger, and Hybrid

Walleye (14)

Rock-Springs-Pond, Macon-County-Conservation-District

Macon-County

--Spring-Closed-Season-(11)

Roodhouse Park Lake, City of Roodhouse

Green County

All Fish

Channel Catfish

- 2 Pole and Line Fishing Only (1)

- 6 Fish Daily Creel Limit

Sag-Quarry-(Bast)-Cook-County-Forest-Preserve

Cook-County

Trout

--Fall-Closed-Season-(10)

Sam Dale Cons. Area Lake & Ponds, Sam Dale Conservation Area

Wayne County

All Fish

Channel Catfish

- 2 Pole and Line Fishing Only (1)

- 6 Fish Daily Creel Limit

- 14" Minimum Length Limit

Sam-Dale-Trout-Pond, Sam-Dale-Conservation-Area

Wayne-County

Trout

Trout

--Fall-Closed-Season-(10)

--Spring-Closed-Season-(11)

Sam Parr Lake, Sam Parr State Park

Jasper County

All Fish

Channel Catfish

Large or Smallmouth Bass (14)

- 2 Pole and Line Fishing Only (1)

- 6 Fish Daily Creel Limit

--15"-Minimum-length-limit

Sand Lake, Illinois Beach State Park

Lake County

Channel Catfish

Large or Smallmouth Bass (14)

--Spring-Closed-Season-(11)

Sangchris Lake, Sangchris Lake State Park

DEPARTMENT OF CONSERVATION

NOTICE OF ADOPTED AMENDMENT(S)

Christian/Sangamon Counties

All Fish

Barge-or-Smallmouth-Bass-(14)

Large or Smallmouth Bass (14)

- 2 Pole and Line Fishing Only (1)

--15"-Minimum-length-limit

- 2 Fish <15" 5/Or 1 Fish >Or

=15" Daily (25)

White, Black, or Hybrid

Crappie (15)

White, Black, or Hybrid

Crappie (15)

Barge-or-Smallmouth-Bass-(14)

- 9" Minimum Length Limit

--3-Fish-Daily-Creel-Limit

Sangchris Lake Park Ponds, Sangchris Lake State Park

Sangamon County

All Fish

- 2 Pole and Line Fishing Only (1)

Schuyler Lake, City of Rushville

Schuyler County

Walleye, or Sauger, or Hybrid

Walleye (14)

White, Black, or Hybrid

Crappie (15)

- 14" Minimum Length Limit

- 9" Minimum Length Limit

Senior Citizen's Pond, Kankakee River State Park

Kankakee County

All Fish

Channel Catfish

- 2 Pole and Line Fishing Only (1)

- 6 Fish Daily Creel Limit

Shabbona Lake, Shabbona Lake State Park

DeKalb County

All Fish

Bluegill or Redear Sunfish (14)

Channel Catfish

Large or Smallmouth Bass (14)

Large or Smallmouth Bass (14)

Pure Muskellunge

Walleye, or Sauger, or Hybrid

Walleye (14)

White, Black, or Hybrid

Crappie (15)

- 14" Minimum Length Limit

- 10 Fish Daily Creel Limit

Shawnee National Forest Lakes & Ponds, Shawnee National Forest

Multiple Counties

Channel Catfish

- 6 Fish Daily Creel Limit

Shawnee National Forest Lakes & Ponds less than 10 acres, U.S. Forest Service

Multiple Counties

Largemouth Bass

- 12" Minimum Length Limit

Sherman Park Lagoon, Chicago Park District

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Cook County
All Fish
Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

Siloam Springs Lake, Siloam Springs State Park
Adams County
All Fish
Channel Catfish
Large or Smallmouth Bass (†††)
grouper
grouper
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 12-15" Slot Length Limit (3)
--Fall-Closed-Season-†††
--Spring-Closed-Season-†††

Silver-Baker-BuPage-County-Forest-Preserve-District
BuPage-County
grouper
- --Spring-Closed-Season-†††

Silver Lake (Highland), City of Highland
Madison County
Walleye, or Sauger, or Hybrid
Walleye (†††)
- 14" Minimum Length Limit

Silver Springs S.P. Lake & Ponds, Silver Springs State Park
Kendall County
All Fish
Channel Catfish
Large or Smallmouth Bass (†††)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit

Silver-Springs-S-P-Lake-and-Pond-Silver-Springs-State-Park
Kendall-County
grouper
grouper
- --Fall-Closed-Season-†††
- --Spring-Closed-Season-†††

Snake Den Hollow Lakes, Snake Den Hollow State Fish and Wildlife Area
Knox County
All Fish
Bluegill or Redear Sunfish (14)
Channel Catfish
Large or Smallmouth Bass (14)
Pure Muskellunge
Walleye, or Sauger, or Hybrid
Walleye (†††)
White, Black, or Hybrid
Crappie (15)
- 2 Pole and Line Fishing Only (1)
- 5 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 1 Fish more than 15" &/or less than 12" Daily (12)
- 36" Minimum Length Limit
- 14" Minimum Length Limit
- 5 Fish Daily Creel Limit

Sparta City Lakes, City of Sparta
Randolph County
All Fish
Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

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Large or Smallmouth Bass (†††)
- 15" Minimum Length Limit

Spring Lake, City of Macomb
McDonough County
All Fish
Channel Catfish
Striped, White, or Hybrid
Striped Bass
Striped, White, or Hybrid
Striped Bass (16)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 17" Minimum Length Limit
- 3 Fish Daily Creel Limit

Spring Lake (North & South), Spring Lake Conservation Area
Tazewell County
All Fish
Channel Catfish
Large or Smallmouth Bass (†††)
Pure Muskellunge
White, Black, or Hybrid
Crappie (15)
White, Black, or Hybrid
Crappie
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 36" Minimum Length Limit
- 25 Fish Daily Creel Limit
- 9" Minimum Length Limit

St. Elmo South Lake, City of St. Elmo
Fayette County
All Fish
Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

Staunton City Lake, City of Staunton
Macoupin County
All Fish
Channel Catfish
Large or Smallmouth Bass (†††)
Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit

Sterling Lake, Lake County Forest Preserve District
Lake County
All Fish
Channel Catfish
Large or Smallmouth Bass (14)
Large or Smallmouth Bass
Pure Muskellunge
Walleye, or Sauger, or Hybrid
Walleye (†††)
- 2 Pole & Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 1 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 36" Minimum Length Limit
- 14" Minimum Length Limit

Tampier Lake, Cook County Forest Preserve
Cook County
All Fish
Channel Catfish
Walleye, or Sauger, or Hybrid
- 2 Pole and Line Fishing Only
- 6 Fish Daily Creel Limit

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- Walleye †††
- 16" Minimum Length Limit
- Tecumseh Lake, Shawnee National Forest
Hardin County
- All Fish
 - Channel Catfish
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
- Ten Mile Creek Lakes, Ten Mile Creek State Fish and Wildlife Area
Hamilton/Jefferson Counties
- All Fish
 - Channel Catfish
 - Large or Smallmouth Bass †††
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit
- Tomahawk Lake, Moraine Hills State Park
McHenry County
- All Fish
 - Channel Catfish
 - Large or Smallmouth Bass †††
 - Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit
 - 3 Fish Daily Creel Limit
- Tremont Ponds, Village of Tremont, Tazewell County
- All Fish
 - Channel Catfish
- 2 Pole and Line Fishing Only
 - 6 Fish Daily Creel Limit
- Turner Lake, Chain O'Lakes State Park
Lake County
- All Fish
 - Channel Catfish
 - Large or Smallmouth Bass (14)
 - Large or Smallmouth Bass †††
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 1 Fish Daily Creel Limit
 - 15" Minimum Length Limit
- Tuscola City Lake, City of Tuscola
Douglas County
- All Fish
 - Channel Catfish
 - Large or Smallmouth Bass †††
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit
- Valley Lake, Wildwood Park District
Lake County
- All Fish
 - Channel Catfish
 - Large or Smallmouth Bass †††
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
 - 3 Fish Daily Creel Limit
- Vandalia Correctional Facility Ponds, State of Illinois
Fayette County
- All Fish
 - Channel Catfish
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit

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NOTICE OF ADOPTED AMENDMENT(S)

- Vanhorn Woods Pond, Will County--Forest--DistrictPlainfield Park District
Will County
- All Fish
 - Channel Catfish
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
- Vernor Lake, City of Olney
Richland County
- All Fish
 - Channel Catfish
 - Large or Smallmouth Bass †††
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit
- Villa Grove East Lake, City of Villa Grove
Douglas County
- All Fish
 - Channel Catfish
 - Large or Smallmouth Bass †††
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit
- Villa Grove West Lake, City of Villa Grove
Douglas County
- All Fish
 - Channel Catfish
 - Large or Smallmouth Bass †††
 - Trout
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit
 - Fall-Closed-Season-†††
- Virginia City Reservoir, City of Virginia
Cass County
- All Fish
 - Channel Catfish
 - Large or Smallmouth Bass †††
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
- Visitor Pond-Crab Orchard NWR, U.S. Fish and Wildlife Service
Williamson County
- Large or Smallmouth Bass †††
- 21" Minimum Length Limit
- Waddams-Creeky-State-of-Illinois
Stephenson County
- Trout
- Spring-Closed-Season-†††
- Walnut Point Lake, Walnut Point State Fish and Wildlife Area
Douglas County
- All Fish
 - Channel Catfish
 - Large or Smallmouth Bass †††
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 12-15" Slot Length Limit (3)
- Walton Park Lake, City of Litchfield
Montgomery County
- All Fish
 - Channel Catfish
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit

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Warrior Lake, Moraine Hills State Park
McHenry County

- All Fish
- Channel Catfish
- Large or Smallmouth Bass †††
- Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 3 Fish Daily Creel Limit

Washington County Lake, Washington County Conservation Area
Washington County

- All Fish
- Channel Catfish
- Large or Smallmouth Bass †††
- Striped, White, or Hybrid
- Striped Bass
- Striped, White, or Hybrid
- Striped Bass (16)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 17" Minimum Length Limit
- 3 Fish Daily Creel Limit

Washington Park Lagoon, Chicago Park District
Cook County

- All Fish
- Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

Washington-Park-Pond-Springfield-Park-District
Sangamon-County

- Trout
- Trout
- Fall-Closed-Season-†††
- Spring-Closed-Season-†††

Waverly Lake, City of Waverly
Morgan County

- All Fish
- Channel Catfish
- Large or Smallmouth Bass †††
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit

Weinberg-King Pond, Weinberg-King State Park
Schuyler County

- All Fish
- Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

Weldon Springs Lake, Weldon Springs State Park
DeWitt County

- All Fish
- Channel Catfish
- Large or Smallmouth Bass †††
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" minimum Length Limit

West Frankfort New City Lake, City of West Frankfort
Franklin County

- All Fish
- Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

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West Frankfort Old City Lake, City of West Frankfort
Franklin County

- All Fish
- Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

White Hall City Lake, City of White Hall
Green County

- All Fish
- Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

Whoopie Cat Lake, Shawnee National Forest
Hardin County

- All Fish
- Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

Wilderness Lake, Moraine Hills State Park
McHenry County

- All Fish
- Channel Catfish
- Large or Smallmouth Bass †††
- Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 3 Fish Daily Creel Limit

Wilderness Pond, Fox Ridge State Park
Coles County

- All Fish
- Channel Catfish
- Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit

Wolf Lake, William W. Powers Conservation Area
Cook County

- All Fish
- Channel Catfish
- Large or Smallmouth Bass †††
- Walleye, or Sauger, or Hybrid
- Walleye †††
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 14" Minimum Length Limit

Woodford Co. Cons. Area (Fishing Ditch), Woodford County Conservation Area
Woodford County

- All Fish
- 2 Pole and Line Fishing Only (1)

Wyman Lake, City of Sullivan
Moultrie County

- All Fish
- Channel Catfish
- Trout
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- Spring-Closed-Season-†††

Yellow-Creeky-State-of-Illinois
Stephenson-County

- Trout
- Spring-Closed-Season-†††

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NOTICE OF ADOPTED AMENDMENT(S)

(Source: Amended at 16 Ill. Reg. 5267, effective March 20, 1992)

Section 810.60 Bullfrogs

a) Statewide Regulations.

- 1) Bullfrogs may be taken by hand, pole and line fishing methods, pitchfork, bow and arrow or bow and arrow device, spear or gig.
- 2) No person shall take bullfrogs by commercial fishing devices including hoop nets, traps, or seines, or by the use of firearms, airguns or gas guns.
- 3) The season is June 15 to August 31, both dates inclusive.
- 4) The daily limit is 8; the possession limit is 16. Persons taking bullfrogs must have a valid sport fishing license or combination hunting and fishing license.

b) Site Specific Regulations.

Bullfrogs may be taken in accordance with Statewide Regulations, Section 810.60, (a) above, on waters owned, managed or leased by the Department of Conservation.

(Source: Amended at 16 Ill. Reg. 5267, effective March 20, 1992)

Section 810.70 Free Fishing Days

During the period of June 7-8-9 and 10-11-12-13-14-15-16-17-18-19-20-21-22-23-24-25-26-27-28-29-30-31, 1992, it shall be legal for any person to fish in waters wholly or in part within the jurisdiction of the State, including the Illinois portion of Lake Michigan, without possessing a sport fishing license or salmon stamp.

(Source: Amended at 16 Ill. Reg. 5267, effective March 20, 1992)

Section 810.90 Tagged Fishing Tournament Permit

- a) Where prizes are offered for tagged or marked fish, a permit is required by the Department of Conservation for the following waters:

- 1) state-owned waters;
- 2) waters managed by the state through a cooperative agreement;
- 3) waters managed by the state through a lease;
- 4) Carlyle Lake;
- 5) Lake Shelbyville and Rend Lake.

a) A fishing tournament permit from the Department of Conservation is needed if:

- 1) Prizes are offered for tagged or marked fish and where any of the waters listed in Section 810.45 are named as a tournament site, or
- 2) The fishing event is conducted over a period of more than five

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(5) days during any calendar year, and prizes with a total value in excess of \$1,000 are offered, and where any of the waters listed in Section 810.45 are named as a tournament site.

- b) Applications for a permit shall be made in writing to the Department of Conservation, Division of Fisheries, at least 60 days prior to the first tournament date.
- c) Issuance or denial of a permit shall be based upon the Department of Conservation's assessment of the capability of the fishery resource to absorb the tournament with minimal impact. In determining whether or not to hold a fishing tournament, the Department will estimate the number of fish of a particular species to be caught in order to evaluate the impact of angling days per acre of water. Items to be considered include:
 - 1) Species sought;
 - 2) Biological status of population(s) or species sought. The following parameters will be considered in assessing the biological status or condition of the population of the species sought:
 - A) Population density;
 - B) Growth rate;
 - C) Age structure;
 - D) Size structure; and
 - E) Recruitment
 - 3) Length of tournament;
 - 4) Projected tournament fishing pressure, which is the estimated total number of angling days generated by a tournament;
 - 5) Provisions for obtaining, tagging, holding, handling and/or releasing fish;
 - 6) Safety; and
 - 7) Potential boater-user conflicts
- d) Tagged Fishing Tournament permittees must consult with the Division of Fisheries prior to tagging and/or releasing tagged fish to prevent conflict with Department fish tagging projects.
- e) Failure to acquire a permit as referenced in subsection (c) above is a petty offense and will result in denial of future applications for a Tagged Fishing Tournament Permit by that applicant, sponsor or group for a period up to five (5) years.

(Source: Amended at 16 Ill. Reg. 5267, effective March 20, 1992)

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NOTICE OF ADOPTED AMENDMENTS

1) The Heading of the Part: Rules of Governor's Purchased Care Review Board

2) Code Citation: 89 Ill. Adm. Code 900

3) Section Numbers: Adopted Action:

Section 900.310 Amended
Section 900.321 Amended
Section 900.322 Amended
Section 900.330 Amended
Section 900.331 Amended
Section 900.342 Amended
Section 900.343 Amended
Section 900.345 Amended
Section 900.348 Amended

4) Statutory Authority: Ill. Rev. Stat. 1989, Ch. 122, par. 14-7.02

5) Effective Date of Rule Amendments: March 23, 1992

6) Does this rulemaking contain an automatic repeal date? No

7) Does this rule amendment contain incorporations by reference? No

8) Date Filed in Agency's Principal Office: March 23, 1992

9) Notice of Proposal Published in Illinois Register:

September 6, 1991, 15 Ill. Reg. 12989

10) Has JCAR issued a Statement of Objection to these rules? No

11) Differences between proposal and final version:

Table of Contents - Source: "Filed May 8, 1987" changed to "Filed May 8, 1979"

900.310 (i) (4) add a comma after "benefit"

900.321(b) (4) (B) change "section" to "Section"

900.321(b) (4) (C) change "section" to "Section"

900.321(c) (1) (A) add "Section" before "900.310(i)"

GOVERNOR'S PURCHASED CARE REVIEW BOARD

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900.321(d) (7) replace "for" with "in"

900.321(d) (7) (B) change "costs" to "cost"

900.321(d) (7) (C) add "a" before "financial difficulty"

900.322 place a space after "Stat." and "122,"
replace "Art" with "pars."
add "1991" after "Ill. Rev. Stat."
delete ".430" after "Ill. Adm. Code 226"
delete ".200" after "Ill. Adm. Code 401"
change "Ch." to "ch."
change "handicapped children" to "children with disabilities"

900.342(a) (3) change "units" to "unit"

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will this rule replace an emergency rule currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Rule Amendments:

The purpose of the adopted amendments is to make technical changes to rules governing the establishment of allowable costs for approved non-public schools serving students with disabilities.

16) Information and questions regarding this adopted rule amendment should be directed to:

Mr. Loree A. Riggs
Executive Director
Governor's Purchased Care Review Board
611 Stratton Office Building
Springfield, Illinois 62706
217-785-8779

The full text of the Adopted Amendments begins on the next page:

GOVERNOR'S PURCHASED CARE REVIEW BOARD

NOTICE OF ADOPTED AMENDMENT(S)

TITLE 89: SOCIAL SERVICES
CHAPTER V: GOVERNOR'S PURCHASED CARE REVIEW BOARD

PART 900

GOVERNOR'S PURCHASED CARE REVIEW BOARD

Section	
900.110	Applicability
900.310	General Provisions Relating to Determining Allowable Costs
900.320	Cost Reports -- General Requirements
900.321	Attested Cost Reports
900.322	Definitions Governing Allowable Costs
900.330	Cost Finding
900.331	Reimbursement for Allowable Costs
900.340	Notice and Filing of Appeal
900.341	Principles of Appeals Process
900.342	Basis for Increase in Allowable Costs
900.343	Effective Date
900.344	Conditional Increases
900.345	Procedure for Filing Appeals
900.346	Review by Appeals Committee
900.347	Review by Board
900.348	Final Decision of Board
900.349	Mathematical and Clerical Errors in Calculation
900.351	Factors in Evaluating Appeals

AUTHORITY: Implementing and authorized by Section 14-7.02 of The School Code (Ill. Rev. Stat. 1989, ch. 122, par. 14-7.02).

SOURCE: Filed May 8, 1979, effective May 18, 1978; amended at 4 Ill. Reg. 9, pp. 241, 244 and 247, effective February 15, 1980; amended at 5 Ill. Reg. 4171, effective April 7, 1981; amended at 5 Ill. Reg. 5633, effective May 15, 1981; amended at 5 Ill. Reg. 9095, effective September 1, 1981; codified at 6 Ill. Reg. 12452; amended at 7 Ill. Reg. 6079, effective May 4, 1983; amended at 9 Ill. Reg. 9551, effective June 10, 1985; amended at 11 Ill. Reg. 20552, effective December 8, 1987; amended at 16 Ill. Reg. 5311, effective March 23, 1992.

Section 900.310 General Provisions Relating to Determining Allowable Costs

- The Governor's Purchased Care Review Board (Board) approves costs for facilities providing special educational and related services and also room and board to children whose educational needs, because of their handicap, cannot be met by the special education program of the district in which they reside.
- The placement and services to be provided are subject to prior approval of the Illinois State Board of Education (ISBE).
- Providers must comply with the minimum educational standards as found in the Rules and Regulations for Approval of Nonpublic Facilities

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Educating Handicapped Students under Section 14-7.02 of The School Code.

- A private for-profit facility is an agency which is registered as for-profit by the Secretary of State in the agency's principal location and recognized as a for-profit entity by the Internal Revenue Service.
- School health services are defined as those direct or indirect services normally associated with the function of a school nurse, limited to health counseling, health education, personal hygiene/grooming, first aid/emergency care, safety, and health protection (prevention) services provided by licensed, registered, or certified nurses or other non-physician health care professionals employed by a nonpublic special education facility for the purpose of providing such services to students placed in such facilities and those services required by the students' Individual Education Plans (IEP).
- Occupancy costs are defined as those costs associated with the operation and maintenance of the physical plant, and all depreciation, all lease or rental, and all interest.
- Support costs are defined as those costs normally associated with the provision of food and dietary services, laundry services, housekeeping services, and other costs associated with the provision of domestic services, including salaries, wages, fringe benefits, and supplies used in providing such services.
- Administration costs are defined as those costs normally associated with the overall organizational leadership and direction of the various program service entities with the agency. Such costs include salaries, wages, fringe benefits and supplies related to executive officers and assistants, clerical and bookkeeping staff and other costs and fees associated with agency leadership and direction. Costs incurred by a provider for lease/rent, interest, management fees, contracts for goods or services, or other contractual agreements with a related organization shall be disallowed when such costs to the provider are greater than the costs to the related organization. Related organizations include:
 - Those organizations comprised of one or more individuals, or persons related to individuals, who are appointed or elected by, employed by, or serve as paid or unpaid members of the provider's board of control;
 - Organizations established for the primary purpose of providing capital asset management for the provider;
 - Organizations who are limited in their authority to acquire or dispose of any asset of interest to the provider, by any provision, agreement, covenant, or contract with the provider's board of control;
 - Organizations where, upon dissolution of the organization or liquidation of any asset of interest to the provider, such assets and/or proceeds revert back to, or benefit, the provider through any provision, agreement, covenant, or contract with the

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provider's board of control.

(Source: Amended at 16 Ill. Reg. 5311, effective March 23, 1992).

Section 900.321 Attested Cost Reports

a) Wherever possible, the Board will approve cost reporting formats already being used by other State agencies. The Board may also encourage other State agencies to adopt cost reporting formats which it approves if such formats meet the mutual needs of the agencies involved.

b) The format for cost reporting approved by the Board will specify the reporting of costs in the four categories of special education costs, related service costs, room and board costs, and non-reimbursable service costs.

1) Special education costs. The following shall be considered special education costs:

A) Salaries, wages and fringe benefits for staff and fees for consultants involved in the direct planning and delivery of educational services, including teachers, teacher aides, and child workers insofar as they are carrying out tasks which are necessary as specified in the student's individual education plan.

B) Supplies used by the above personnel in carrying out their activities.

C) Overhead costs incurred in the provision of services by the above personnel and breakfast and lunch costs during school days.

2) Related service costs. The following shall be considered related service costs:

A) Salaries, wages and fringe benefits for staff and fees for consultants involved in the direct delivery of related services including: certified speech and language clinicians; qualified audiologists; qualified physical therapists; qualified occupational therapists; certified, licensed or registered social workers; certified, licensed or registered psychologists; qualified recreation workers; certified counselors; qualified personnel providing school health services, as defined in Section 900.310(e); and such other qualified personnel as required by the individualized education plan.

B) Supplies used by the above personnel in carrying out their activities.

C) Overhead costs incurred in the provision of services by the above personnel.

3) Room and board costs. The following shall be considered room and board costs:

A) Salaries, wages and fringe benefits for recreational staff,

aides and child care workers to the extent these services are primarily custodial.

B) Supplies used by the above personnel in carrying out their activities.

C) Overhead costs incurred in the provision of services by the above personnel and evening, weekend and holiday meals.

4) Non-reimbursable service costs. The following shall be considered non-reimbursable service costs:

A) Salaries, wages and fringe benefits for staff and fees for consultants not involved in the delivery of educational services listed in Subsection (b)(1) of this Section or related services listed in Subsection (b)(2) of this Section, including licensed physicians, except for their diagnostic or evaluation services and consultation to education staff; licensed dentists, except for diagnosis or evaluation and consultation to education staff, other health or medical personnel except as they are providing school health services, as defined in Section 900.310(e); and other medical personnel involved in the provision of ongoing medical care. Costs attributable to the exceptions specified should be reported in Subsection (b)(1) of this Section and/or Subsection (b)(2) of this Section as appropriate.

B) Supplies used by the above personnel in carrying out activities which are not reimbursable under Subsection (b)(4)(A) of this Section.

C) Overhead costs incurred by the above personnel in the provision of services which are not reimbursable under Subsection (b)(4)(A) of this Section.

c) Disallowed costs. The following costs shall not be considered for inclusion in any of the above costs components:

1) Expenses resulting from transactions with related parties, organizations which are greater than the expense to the related party organization. (in-the-case-of--such-transactions--the expense-to-the-related-party-shall-be-an-allowable-expense-to-the extent-it-fits-into-one-of-the-above-categories.)

A) Where the provider makes rent/lease payments to a related organization, as defined in Section 900.310(i), rent/lease expense is disallowed and the capital costs of the related organization must be used.

B) Interest expense paid to a related organization is disallowed. However, interest expense incurred by the related organization is allowable.

C) The cost of goods and services purchased from a related organization shall be allowable to the extent that the cost to the provider does not exceed the cost to the related organization.

D) Providers may be required to submit evidence to substantiate or refute any claim of relatedness in determining allowable

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- costs.
- E) Providers shall identify all related organization transactions with the annual filing of the cost report.
- F) Related organization allowable costs shall be added to the provider's costs for the same cost centers for determination of reasonable cost standards applicable to the provider's costs.
- 2) Non-straightline depreciation. (However, straight-line depreciation is an allowable cost.)
- 3) Research cost, other than costs for program evaluation.
- 4) Bad debt.
- 5) Special benefits to owners including owner and keyman life insurance, except insofar as required by lending institutions.
- 6) Compensation to non-working owners and non-working officer's salary.
- 7) Discounts, rebates, allowances and charity grants.
- 8) Entertainment expenses.
- 9) Fund raising.
- 10) Revenue producing expenses, including expenses generated from the sale of goods and services, but excluding expenses for workshops and for craft activities, even if these generate revenue.
- 11) Interest payments related to non-program assets.
- 12) Costs incurred by owners or boards of directors for non-program activities including that portion of overhead which should be allocated to these activities.
- 13) Printing expenses not related to the program.
- 14) Conferences and conventions as specified hereafter. Travel, lodging, food and registration expense related to attending conferences and conventions beyond 50 miles of Illinois are not allowable. Conferences held in-state, or within 50 miles of Illinois are allowable under the following conditions:
- A) The conference is specifically of an educational nature (i.e., improvement of skill levels). Meetings directed towards lobby activities or devoted primarily to association business are not considered educational.
- B) Staff in attendance are those involved in supervising and providing direct care to clients.
- C) Costs associated with other than direct care staff (i.e., accountant, bookkeeper, etc.) are allowable when attendance at a conference was at the request of, or sponsored by, the state.
- D) Allowable expenses must be grouped with the administrative costs center and subject to the administrative ceiling.
- 15) Dues to national, state and parent organizations.
- 16) Awards and grants to individuals should never be included as special education and related services costs or as room and board costs.
- 17) Fees for nonprogram related professional, technical, social or other organizations.

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- 18) Nonclient transportation, excluding program-related staff transportation which is an allowable cost.
- 19) Intra-agency fund loan interest.
- 20) Fines and penalties.
- 21) Mortgage and loan principal payments.
- 22) Contributions and donations by the agency.
- 23) Asset acquisition costs. (That is, costs of items reported on the agency's books when those costs exceed \$500 for items having a life of one year or more. Depreciation for these items is, however, an allowable expense.)
- 24) Contingencies.
- 25) Special legal fees, such as legal work relating to non-program activities of the owners or legal fees for suing the State.
- 26) Imputed value of goods and services.
- 27) Severance pay.
- 28) Sales tax for not-for-profit organizations.
- 29) Income tax.
- 30) Student transportation to and from the facility, as a responsibility of the placing school district, reimbursable under Section 14-31.01 of the School Code.
- 31) Clothing and allowances.
- 32) Costs of advertising for clients and public relations.
- d) Revenues to be offset. Private contributions and non-governmental revenues granted to a provider for improving or enhancing its program shall not be offset. The following sources of revenue shall be offset, as appropriate, against costs itemized as--parts--of in subsections (b)(1), (b)(2) or (b)(3) of this Section:
- 1) Revenues from school lunch programs must be offset against the cost of meals. (These would be offset against the cost of meals only in the special educational component of costs as defined in subsection (b)(1) of this Section.)
- 2) Revenues from the rental of portions of the building must be offset against property costs. (These would be offset against occupancy cost in all three components of costs.)
- 3) Revenues from unrestricted investments must be offset against interest costs; revenues from unrestricted investments exceeding interest expenses need not be offset. (These should be offset against interest costs in all three components of costs.)
- 4) Revenues from local educational agencies for diagnostic services.
- 5) Revenues from workshop programs must be offset against the cost of those programs in whichever of the above components they were reported.
- 6) Revenues for special education, related services, and room and board, insofar as any nonclient specific income is received from any state or federal agency.
- 7) A gain on a sale of an asset shall be offset, in which the state has any monetary interest, shall be offset against the cost center in which the asset was reported.
- A) The total offset taken shall not exceed the state's interest

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- in said asset.
- B) The offset shall not be applied against other cost centers unless an expense allocation has been made to more than one cost center.
- C) An offset schedule shall be developed any time a single year offset creates a financial difficulty for the provider. The length of an offset schedule shall not exceed the length of the original expense schedule (depreciation) as reported to the Board on the annual cost report or certified audit.

(Source: Amended at 16 Ill. Reg. 5311, effective March 23, 1992.)

Section 900.322 Definitions Governing Allowable Costs

The definitions used in the determination of allowable costs shall be in accordance with Ill. Rev. Stat. 1991, ch. 122, pars. 14-1.08 and 14-7.02 and applicable rules governing educational services to children with disabilities, including 23 Ill. Adm. Code 226 and 23 Ill. Adm. Code 401. those used by the Illinois State Board of Education on its forms numbered 93-27 and 19-937 copies of which are available from the Illinois State Board of Education, 100 North First Street, Springfield, Illinois 62777. This information is also contained in the Rules of the Illinois State Board of Education 23-111, Adm. Code 226-430.

(Source: Amended at 16 Ill. Reg. 5311, effective March 23, 1992.)

Section 900.330 Cost Finding

- a) Allowable costs, except as specified below, and in Section 900.321(c), shall be those costs reported on the State of Illinois Interagency Statistical and Financial Report, which are supported by an audited financial statement for the same period. These reported costs must also be consistent with Section 900.321. Budgeted costs will be acceptable within the parameters of Section 900.330 (b) where there are no historical costs available.
- b) Only reasonable costs which are necessary for the accomplishment of program goals and objectives will be allowable. Allowable costs shall not exceed costs which would be incurred by a "prudent buyer." Parameters for frequently incurred costs, including staffing costs, will be developed by the Board through comparison of costs incurred by all reporting schools by type of program.
- 1) Reasonable Cost Calculations
- A) All facilities will be grouped by type of program offered on the basis of actual costs for support, administration, and occupancy. Allowable costs for support, administration and occupancy utilize a cost range ceiling of 125% of the median as a reasonable upper limit.

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- B) For a private for-profit facility, reimbursement will be allowable at 115% of the median cost for support, administration and the physical plant operation and maintenance portion of the occupancy costs for all facilities operating a similar type of program. When actual costs exceed 115% of these medians, a cost ceiling of 125% of these medians will be utilized.
- C) Calculation of median costs will be based on cost reports received prior to April 15 for the coming rate year. Cost reports not received prior to April 15 may be included in the median calculation using the prior year cost report, adjusted for inflation, as established by the Board.
- 2) Reported costs will be updated for inflation experienced and projected for the time between the period covered on the cost report and the middle of the current school year. The Board will develop an appropriate index for inflation factors each year using the component method to update costs in programs for the same time periods.
- c) Allowable costs approved by the Governor's Purchased Care Review Board for any nonpublic school program or segment thereof shall not exceed the allowable costs for that school which are approved by any other Illinois state agency for the same program or program segment. Each Illinois state agency which purchases services from nonpublic schools shall certify to the Governor's Purchased Care Review Board for each nonpublic school receiving funding (subject to Section 14-7.02 of the School Code) the means by which rates are determined. This certification shall include a statement of the services purchased and their itemized cost. (For the purposes of this rule a local school district is not a state agency.)
- e) Allowable costs may be adjusted for the cost of excess or idle capacity. Adjustments for these costs shall be described in Subsection (f) of this Section. The Board may use as bases for allowable costs these costs reimbursed by the state in which the facility is located. These may, however, be adapted to meet known differences in cost determination methodologies to insure that no costs are allowed which should be disallowed under Illinois' cost finding methodology. Factors to be considered in determining whether to adopt the costs reimbursed by other states shall include:
- 1) The number of Illinois children treated by the out-of-state facility;
 - 2) the unique nature of services provided by the out-of-state facility;
 - 3) unique characteristics of the children being served by the out-of-state facility;
 - 4) the difficulty in obtaining treatment for these children in other settings.
- f) Per-student allowable costs shall be determined in the following manner:
- 1) Per-student allowable costs for room and board will be determined

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on the basis of actual enrollment or 90% of licensed capacity, whichever is larger.

- 2) Per-student allowable education costs shall be determined on the basis of program enrollment, as reported by the facility and verified by the Illinois State Board of Education. Such verification shall be based on the total reimbursement days claimed by all school districts for each facility. In the event of a discrepancy between the enrollment reported by the facility and the enrollment reported by the Illinois State Board of Education, the higher enrollment figure shall be used in determining the per-student allowable education cost, except as provided for in Section 900.342 (a) (6).

- 9) Cost determination for an out of state public school program shall be made on the basis of an operating budget for the public program.

- 1) Such budget information shall be reported annually, prior to the first day of each school year, by an authority representing the out of state public school district or other public entity operating the program.

- 2) Additional information such as enrollment, school calendar, weighting factors, or budget detail may be required if such information is not included in the operating budget submitted for review.

- 3) Any increase in the actual costs of a program, determined after the original cost determination, shall be submitted to the Board in the form of an appeal, to be approved by the Board prior to payment being made by any Illinois school district. Appeals will only be considered which address changes in the current school year.

(Source: Amended at 16 Ill. Reg. 5311, effective March 23, 1992)

Section 900.331 Reimbursement for Allowable Costs

- a) Reimbursement shall be made on the basis of days of enrollment in a program at a nonpublic school approved by the Illinois State Board of Education.
- b) Reimbursement to the local educational agency shall be made on the basis of an allowable cost determination approved in advance by the Governor's Purchased Care Review Board.
- c) Except as specified below, the Illinois State Board of Education will reimburse local educational agencies for the allowable costs of educational programs provided by nonpublic schools and out of state public schools under Chapter 122, Section 14-7.02 of the School Code.
- d) The local educational agency that has placed the student in a nonpublic school or out of state public school pursuant to Section 14-7.02 shall reimburse that nonpublic school for allowable costs of special education and related services and room and board except as specified below.

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- e) Reimbursement to the nonpublic school or the out of state public school shall only be made for services required for the individualized educational program of the student which are contracted for by a local educational agency.

- f) Terms of enrollment shall be as contracted for by the local educational agency.

- g) A portion of any grant made by the Department of Mental Health and Developmental Disabilities (DMH/DB) directly to a nonpublic school which is not linked to specific pupils/clients may be taken as a credit against reimbursement for allowable educational costs in the following manner:

- 1) The grant amount will first be applied to any costs as defined in Section 900.321(b)(4).

- 2) The grant amount will next be applied against the per-student allowable educational costs of those students who were not placed by a local educational agency. (Since this will be done prospectively, the calculation will be made on the basis of information from the most recently filed cost report prior to establishment of allowable costs by the Board.)

- 3) The grant amount will then be applied to costs as defined in Section 900.321(b)(2).

- 4) One-half of the grant amount which remains will be applied to reduce special educational costs.

- h) Wherever a pupil/client meets the eligibility requirements of some other state agency and that state agency has approved the placement of that pupil/client in accordance with its own rules and procedures the other state agency shall be responsible for the reimbursement for the pupil/client. The Illinois State Board of Education will reimburse for room and board payments only when no other state agency is involved in the placement of the child.

- i) All payments by an insurer or other third party payor which have not been taken as a credit against special education or related services costs and which can be used for room and board will be taken as credit against room and board costs.

- j) The Illinois State Board of Education will not reimburse costs which are considered nonreimbursable in Section 900.321(b)(4).

- k) Other state agencies may reimburse for costs which are otherwise nonreimbursable, but their responsibility for so doing shall be limited by their own rules and procedures regarding such payments. To the extent no other state agency has responsibility for these costs, parents or other responsible parties will be assumed to have accepted responsibility for these costs. In no event shall state agencies, parents or other parties be allowed to pay for special education, related services and room and board fees in excess of those determined allowable by the Board for a child placed only by a local school district. Any such payments made by other than the Illinois State Board of Education for a child placed only by the local school district would be used to offset the allowable costs for special education, related services and/or room and board approved by the

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Board for that particular student.

- 1) Other state agencies will continue to maintain effort as required by statute and regulation.

(Source: Amended at 16 Ill. Reg. 5311, effective March 23, 1992.)

Section 900.342 Basis for Increase in Allowable Costs

- a) Increases in allowable costs can be granted by the Board for the following reasons:

- 1) There has been an extraordinary increase in program operating costs which are beyond the reasonable control of the provider and which substantially threaten the program's financial stability.
- 2) Mechanical or clerical errors committed by the provider or the Board as depicted on required cost reports and in the rate calculation process used by the Board in the calculation determination of allowable costs.
- 3) Statutory or regulatory requirements of any state governmental units which have has or will have generated a substantial increase in allowable costs during the current cost reporting period.
- 4) There has been or will be a substantial decrease in external funding, subsidies, grants, gifts, or donations which constitute a substantial portion of the funding for the core functions provided by a standard purchase program to the extent that such revenues were considered available when the Board approved the allowable costs for the provider.
- 5) A substantial program change has been or will be undertaken which has or will result in a substantial increase in costs. The appeal must in all cases contain documentation with respect to the necessity of these program costs from the state agency or state department that purchases services from the provider.
- 6) Where a provider believes a significant discrepancy exists between its enrollment figures as submitted and the enrollment figures determined by the State Board of Education, the provider may resolve the discrepancy with the appropriate local school districts and appeal the initial per-student allowable cost determination. Such an appeal will only be considered where the local school districts amend their enrollment figures with the State Board of Education.
- b) If a provider elects not to submit costs to the Board for approval because the tuition charge for special education and related services has not increased by more than 10% over the prior school year and does not exceed \$4500 per year, the provider may not then submit its costs for review after the beginning of the school year. Such costs will not be approved by the Board. Any provider electing to submit a cost report used for allowable cost determination may not revert to this provision in subsequent years.

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(Source: Amended at 16 Ill. Reg. 5311, effective March 23, 1992.)

Section 900.343 Effective Date

The effective date of any determination of allowable costs which is increased on appeal shall be determined by the Board as part of its final decision on the appeal. Factors to be considered in determining the effective date will include the date the appeal was filed and the basis for the appeal. In no case shall the effective date of any appeal be granted prior to the first day of the school year in which the appeal is received by the Executive Director.

(Source: Amended at 16 Ill. Reg. 5311, effective March 23, 1992.)

Section 900.345 Procedure for Filing Appeals

- a) An appeal for an increase in allowable costs shall be submitted in writing to the Chairman Executive Director of the Governor's Purchased Care Review Board and shall contain the following:
 - 1) The name and address of the provider and the governmental unit which makes payment to the provider.
 - 2) The current, approved allowable costs and the allowable costs sought pursuant to the appeal.
 - 3) A clear, concise statement of the reasons for the appeal, the requested effective date of the increased allowable costs which are sought, and the reasons for this effective date.
 - 4) A detailed statement of financial, statistical and related information in support of the appeal which indicates the relationship between the additional costs submitted and the change of circumstances or other reasons for the higher costs.
 - 5) A citation to any statutory, regulatory or contractual requirement pertinent to the appeal.
 - 6) In the case of appeals based on Section 900.342 (a)(3), (a)(4) or (a)(5), such appeals shall be accompanied by a written statement secured by the provider from the governmental unit(s) which purchases come from the provider that the governmental unit(s) considers the costs claimed in the application for administrative adjustment to be warranted.
 - 7) Certification by either the chief executive officer or the financial officer of the provider that the application and all information reports, schedules, budgets, books and records submitted are true, correct and accurate. False certification shall be subject to whatever penalties are appropriate under the criminal statutes of the State of Illinois.
- b) The Board will not accept or process an appeal which does not meet the requirement of this subsection. In addition, no appeal can be acted upon unless the provider has filed an attested cost report for its fiscal year ending in the calendar year prior to the year in which the

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appeal is being made. Attested reports from more recently completed fiscal years may also be considered in an appeal, as may other relevant documents.

- c) Documentation submitted in support of the appeal, but subsequent to filing of the appeal, shall contain the certification described in Section 900.342.
- d) Any appeal under this section shall contain sufficient information to permit the Board to translate the expenditure(s) giving rise to the appeal into reimbursable allowable costs. The provider shall provide any other information, books and records which the Board may reasonably request. If the provider fails to provide such information, books and records within forty-five (45) days of such request, the application will be rejected.

(Source: Amended at 16 Ill. Reg. 5311, effective March 23, 1992)

Section 900.348 Final Decision of Board

The Board decision shall constitute final action on the appeal. Decisions of the Board shall be made within 120 days of receipt of the appeal, except that, if the Board requests additional information, the period shall be extended by the time taken in providing that information. In the case of an extension, the Board shall act on the appeal at the next regular meeting following the receipt of the additional information. In no case can an increase in allowable costs be granted on appeal when the appeal is delayed into the appellant's next rate year, and the delay is caused by the appellant's failure to comply with Sections 900.348 through 900.351 of this Part.

(Source: Amended at 16 Ill. Reg. 5311, effective March 23, 1992)

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NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of Part: Notice of Eligibility
- 2) Code Citation: 50 Ill. Adm. Code 6701
- 3) Section Number: Adopted Action:
6701.EXHIBIT A Amended
- 4) Statutory Authority: Implementing and authorized by Section 11 of the Comprehensive Health Insurance Plan Act (Ill. Rev. Stat. 1991, ch. 73, par. 1311) and authorized by Section 401 of the Illinois Insurance Code (Ill. Rev. Stat. 1991, ch. 73, par. 1013).
- 5) Effective Date of amendment: March 23, 1992
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this amendment contain incorporations by reference?
No
- 8) Date filed in Agency's Principal Office: March 16, 1992
- 9) Notice of Proposal Published in Illinois Register:
December 2, 1991, 15 Ill. Reg. 17013
- 10) Has JCAR issued a Statement of Objections to this rule? No
- 11) Difference(s) between proposal and final version:
 - a) AUTHORITY: The statutory citation has been updated to the 1991 Illinois Revised Statutes.
 - b) Section 6701.EXHIBIT A - In the second sentence, the ellipses has been deleted.
- 12) Have all changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR?
Yes
- 13) Will this amendment replace an emergency rule currently in effect? No
- 14) Are there any amendments pending on this Part? No

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- 15) Summary and Purpose of rulemaking: Persons who are interested in obtaining more information about the CHIP program will now need to contact the Springfield CHIPS Office. This proposed amendment simply changes the mailing address and telephone number accordingly.

- 16) Information and questions regarding this adopted amendment shall be directed to:

Richard Carlson, Executive Director
Comprehensive Health Insurance Program (CHIP)
Suite 202
400 West Monroe Street
Springfield, Illinois 62704-1823

The full text of the Adopted Amendment begins on the next page.

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NOTICE OF ADOPTED AMENDMENT(S)

TITLE 50: INSURANCE

CHAPTER I: DEPARTMENT OF INSURANCE

SUBCHAPTER jjj: COMPREHENSIVE HEALTH INSURANCE PLAN

PART 6701

NOTICE OF ELIGIBILITY

Section

6701.10 Purpose and Scope

6701.20 Definitions

6701.30 Notice of Requirements

EXHIBIT A Notice of Eligibility

AUTHORITY: Implementing and authorized by Section 11 of the Comprehensive Health Insurance Plan Act (Ill. Rev. Stat. 1991, ch. 73, par. 1311) and authorized by Section 401 of the Illinois Insurance Code (Ill. Rev. Stat. 1991, ch. 73, par. 1013).

SOURCE: Adopted at 13 Ill. Reg. 5951, effective April 18, 1989; amended at 16 Ill. Reg. 5326, effective March 23, 1992.

Section 6701. EXHIBIT A Notice of Eligibility

NOTICE OF ELIGIBILITY FOR THE

ILLINOIS COMPREHENSIVE HEALTH INSURANCE PLAN

You and/or your dependents may be eligible for health insurance coverage under the Illinois Comprehensive Health Insurance Plan (CHIP), which has been established by the State of Illinois to provide such coverage for Illinois residents. CHIP is for people who need it and can afford health insurance, but who cannot obtain it because of a medical or physical condition. If you are interested in obtaining more information about CHIP, please contact:

The Illinois Comprehensive Health Insurance Plan

Administering-Carrier-Mutual-of-Omaha

Box-#207-One-Westbrook-Corporate-Center

Westchester-Illinois-60154

1-800-456-0224

Office of the Board of Directors

400 West Monroe Street, Suite 202

Springfield, Illinois 62704-1823

1-800-962-8384

(Source: Amended at 16 Ill. Reg. 5326, effective March 23, 1992)

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NOTICE OF ADOPTED AMENDMENT

- 1) Heading of Part: Premium Fund Trust Account
- 2) Code Citation: 50 Ill. Adm. Code 3113
- 3) Section Number: Adopted Action:
3113.40 Amended
- 4) Statutory Authority: Implementing Sections 505.1, 506.1 and 508.1 and authorized by Section 401 of the Illinois Insurance Code (Ill. Rev. Stat. 1991, ch. 73, pars. 1013, 1065.52-1, 1065.53-1 and 1065.55-1).
- 5) Effective Date of Amendment: March 23, 1992
- 6) Does this rulemaking contain an automatic repeal date? No.
- 7) Does this amendment contain incorporations by reference? No.
- 8) Date filed in Agency's Principal Office: March 12, 1992
- 9) Notice of Proposal Published in Illinois Register:
October 25, 1991; 15 Ill. Reg. 15244
- 10) Has JCAR issued a Statement of Objections to this rule? No.
- 11) Difference(s) between proposal and final version:
- Section 3113.60 Heading - The "s" has been deleted from the word "Premiums".
 - AUTHORITY NOTE - Has been rewritten as follows:
"Implementing Sections 505.1, 506.1 and 508.1 and authorized by Section 401 of the Illinois Insurance Code (Ill. Rev. Stat. 1991, ch. 73, pars. 1013, 1065.52-1, 1065.53-1 and 1065.55-1)."
 - Section 3113.40(c) - A lead paragraph has been added to read as follows: "A PFTA must be established and maintained if a license:".
 - Section 3113.40(c)(1) and (2) - Now read as follows:

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- "1) Holds any premiums for 15 days or more before remitting to an insurer or other licensee."
- "2) Deposits any collected premiums into a financial institution account or other account or uses the premiums even though the premiums are remitted within 15 days."
- e) Section 3113.40(c)(3) - Has been broken out into a new subsection now being labeled as 3113.40(d) and all subsections hereunder have been relabeled accordingly.
- f) New subsection 3113.40(d) - A comma has been inserted following the word "capacity".
- g) New subsection 3113.40(h)(6) - The subsection reference has been changed from "(g)" to "(h)".
- h) New subsection 3113.40(k)(5) - In the second sentence the word "are" has been deleted and the words "must be" have been inserted in lieu thereof. Also in the second sentence the language "and further provided that" has been deleted and "if" has been inserted in lieu thereof. Finally the word "of" has been changed to "to" following the words "principal or interest".
- i) New subsection 3113.40(k)(6) - A typographical error has been corrected. The word "invets" has been changed to "invests". Also the subsection references have been changed from "(j)" to "(k)".
- 12) Have all changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes.
- 13) Will this amendment replace an emergency rule currently in effect? No..
- 14) Are there any amendments pending on this Part? No.
- 15) Summary and Purpose of rulemaking: The attached amendments will allow an insurance producer to invest assets in general obligation bonds, revenue bonds and short term notes with maturities of not more than one year.
- 16) Information and questions regarding this adopted amendment shall be directed to:

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Ron Hartsock
Department of Insurance
320 West Washington
Springfield, Illinois 62767

The full text of the Adopted Amendments begins on the next page.

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NOTICE OF ADOPTED AMENDMENT(S)

TITLE 50: INSURANCE
CHAPTER I: DEPARTMENT OF INSURANCE
SUBCHAPTER II: INSURANCE PRODUCERS, LIMITED INSURANCE
REPRESENTATIVES AND REGISTERED FIRMS

PART 3113
PREMIUM FUND TRUST ACCOUNT

Section 3113.10	Authority (Repealed)
3113.20	Purpose and Scope
3113.30	Definitions
3113.40	Premium Fund Trust Account
3113.50	Minimum Record Requirements
3113.60	Return Premiums
3113.70	Severability
EXHIBIT A	Consent and Authorization Form

AUTHORITY: Implementing Sections 505.1, 506.1 and 508.1 and authorized by Section 401 of the Illinois Insurance Code (Ill. Rev. Stat. 1991, ch. 73, pars. 1013, 1065.52-1, 1065.53-1 and 1065.55-1).

SOURCE: Adopted at 4 Ill. Reg. 15, p. 194, effective April 11, 1980; amended at 6 Ill. Reg. 12474, effective September 30, 1982; codified at 6 Ill. Reg. 12471; amended at 8 Ill. Reg. 25007, effective January 1, 1985; amended at 14 Ill. Reg. 2088, effective January 19, 1990; amended at 16 Ill. Reg. 5329, effective March 23, 1992.

Section 3113.40 Premium Fund Trust Account

- a) All licensees required to maintain a PFTA, pursuant to 50 Ill. Adm. Code 3113.40(c), shall establish and maintain a PFTA in a financial institution. All resident and quasi-resident licensees required to maintain a PFTA pursuant to this Section shall maintain such PFTA with one or more financial institutions located within the State of Illinois and subject to the jurisdiction of the Illinois courts. Licensees are not required to maintain a separate PFTA for each insurer unless required by an insurer(s).
- b) All licensees required to maintain a PFTA, pursuant to 50 Ill. Adm. Code 3113.40(c), shall certify at each license extension date that premiums are held in a PFTA. The account must be designated Premium Fund Trust Account on the bank records and those words shall be displayed on the face of the checks of that account.
- c) A PFTA must be established and maintained if a licensee:
 - 1) ~~if--a--licensee--~~ Holds any premiums for 15 days or more before remitting to an insurer or other licensee--~~a--PFTA--must--be established-and-maintained.~~
 - 2) ~~if--a--licensee--~~ Deposits any collected premiums into a financial institution account or other account or uses the premiums, ~~a--PFTA~~

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must-be-established-and-maintained even though the premiums are remitted within 15 days.

d)37 The absence of a PFTA does not relieve the licensee of the obligation to hold the premiums in a fiduciary capacity, and the premiums shall not be used for other purposes.

ed All licensees who maintain or are required to maintain a PFTA must deposit all premiums received into the PFTA.

fe Non-premium monies received by the licensee for soliciting, negotiating, effecting, procuring, renewing, continuing or binding policies of insurance may be deposited into the PFTA. Examples of non-premium monies are service fees, policy fees, late charges, inspection fees and surplus lines premium taxes.

gf All monies deposited into the PFTA are considered to be fiduciary funds until lawfully withdrawn.

hg The following disbursements may be lawfully withdrawn from the PFTA:

- 1) Net or gross premium remittances due other licensees or insurers. Claims payments or reinsurance premiums when offset at the direction of the insurer may be transferred to another account;
- 2) Return premiums due insureds;
- 3) Commissions due the licensee, net of any financial institution fees or service charges, or commissions due another licensee only when the commission withdrawal is matched and identified with premiums previously deposited into the PFTA;
- 4) Non-premium monies when matched and identified with prior non-premium PFTA deposits;
- 5) Interest or other revenue which the licensee is authorized to retain.

6) Withdrawals pursuant to **Sections** Subsections 3113.40(g)(3), (g)(4) and (g)(5) must be made payable to the licensee or another licensee.

ih The PFTA shall not be used as a general operating account or claim payment account.

j) The PFTA balance in the financial institution shall at all times be the amount deposited less lawful withdrawals. If the balance in the financial institution is less than the amount deposited less lawful withdrawals, the licensee shall be deemed to have misappropriated fiduciary funds and to have acted in a financially irresponsible manner.

k) All licensees may place PFTA funds in interest bearing or income producing assets and retain the interest or income thereon, provided the licensee obtains the prior written authorization of the insurer on whose behalf the funds are to be held. The written authorization from the insurer shall be on a form the same as Exhibit A or other written form signed and dated by the licensee and the insurer. No investment shall be made which assumes any risk other than the risk that the obligor shall not pay the principal when due. Employing the use of specialized techniques or strategies which incur additional risks to generate higher returns or to extend maturities is not permitted. Such techniques would include but not be limited to the

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following: Use of financial futures or options, buying on margins, pledging of PFTA balances and when issued trading. In addition to savings and checking accounts in a financial institution, a licensee may invest in the following assets:

- 1) Direct obligations of the United States of America or U.S. Government agency securities with maturities of not more than one year.
- 2) Certificates of deposit, with a maturity of not more than one year, issued by financial institutions which are members of the FDIC or the FSUIC.
- 3) Repurchase agreements with financial institutions or government securities dealers recognized as primary dealers by the Federal Reserve System provided that:
 - A) the value of the repurchase agreement is collateralized with assets which are allowable investments for PFTA funds; and
 - B) the collateral has a market value at the time the repurchase agreement is entered into at least equal to the value of the repurchase agreement; and
 - C) the repurchase agreement does not exceed 30 days.
- 4) Commercial paper, provided the commercial paper is rated at least P-1 by Moody's Investors Service, Inc. and at least A-1 by Standard & Poor's Corporation.
- 5) Obligations issued by states and possessions of the United States, including Puerto Rico and the District of Columbia, and their political subdivisions, agencies and instrumentalities, or multi-state agencies or authorities, including general obligation bonds, revenue bonds and short term notes, with maturities of not more than one year, and rated at least Aaa, MIG-1/VMIG-1 or Prime-1 by Moody's Investor Service, Inc. or AA, SP-1 or A-1 by Standard and Poor's Corporation. Such obligations must be payable or guaranteed from taxes or revenues of such entities if such entity has not been in default in the payment of principal or interest on any of its direct or guaranteed obligations in the last five years.

56) Money Market Funds, provided that the Money Market Fund invests exclusively in assets which are allowable investments pursuant to **Sections** Subsections 3113.40(j)(1) through (j)(45).

1k) Each investment transaction shall be made in the name of the licensee's PFTA. The licensee shall maintain evidence of any such investments. Each investment transaction shall flow through the licensee's PFTA.

(Source: Amended at 16 Ill. Reg. 5329, effective March 23, 1992)

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NOTICE OF ADOPTED AMENDMENT(S)

1) **Heading of the Part:** Illinois Child Labor Law

2) **Code Citation:** 56 Ill. Adm. Code 250

3) **Section Numbers:** Adopted Action:

250.105 Amended
 250.110 Repealed
 250.115 Repealed
 250.120 Repealed
 250.125 Repealed
 250.130 Repealed
 250.135 Repealed
 250.140 Repealed
 250.145 Repealed
 250.150 Repealed
 250.200 Amended
 250.500 Amended
 250.600 Amended
 250.700 Amended
 250.705 New Section
 250.710 New Section
 250.715 New Section
 250.805 Amended
 250.820 Amended
 250.825 Amended
 250.855 New Section
 250.860 New Section

4) **Statutory Authority:** Implementing Section 1, 3, 6, 8.1, 17.1-17.3 of the Illinois Child Labor Law (Ill. Rev. Stat. 1989 ch. 48, pars. 31.1, 31.3, 31.6, 31.8-1, 31.17-31.73).

5) **Effective Date of Amendments:** March 24, 1992

6) **Does this rulemaking contain an automatic repeal date?** No

7) **Does this rulemaking contain incorporations by reference?** Yes

8) **Date filed in Agency's principal office:** October 25, 1991

9) **Notice of proposal published in Illinois Register:** November 8, 1991, 15 Ill. Reg. 15862.

10) **Has JCAR issued a statement of objections to this rule?** No

11) **Difference(s) between proposal and final version:**

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- a) Authority Note 31.73 was replaced by 31.17
 b) Sections 250.110 - 250.150 were repealed and incorporated into Section 250.105
 c) Section 250.150 was incorporated into Section 250.105 and amended to read: "Enterprise" means "an activity as defined by Section 3 of the Fair Labor Standards Act of 1938 (29 USC 203(r) and (s))" and deleting all remaining text
 d) Subpart B heading changed from "Employers Subject to the Act" to "Employment Conditions Subject to the Act"
 e) Subpart Heading H - strike all text for subpart heading except for "Employer Violations"
 f) Section 250.500 - to add the text "for at least 3 years irrespective of whether the employee had been terminated" to section 250.500 (c) and add the text "currently" before "employed" and "retain time records for terminated employees at the place of employment for at least 6 months after the date of termination" to Section 250.500(d)
 g) Section 250.805 - add the language "(for specific requirements for minors under sixteen appearing in television or motion picture productions, see Section 250.855)"

12) **Have all changes agreed upon by the Agency and JCAR been made as indicated in the agreement letter issued by JCAR?** Yes

13) **Will this rulemaking replace an emergency rule currently in effect?** Yes

14) **Are there any amendments pending on this part?** No

15) **Summary and Purpose of rulemaking:** These amendments and new sections update the language of the rules to cover the practices of modern day business. They also establish more complete standards for Department hearings.

16) **Information and questions regarding this adopted rulemaking shall be directed to:**

Ann Plunkett-Sheldon
 General Counsel
 Illinois Department of Labor
 310 South Michigan Avenue, 10th Floor
 Chicago, Illinois 60604

The full text of the Adopted Amendments begins on the next page.

NOTICE OF ADOPTED AMENDMENTS

TITLE 56: LABOR AND EMPLOYMENT
CHAPTER I: DEPARTMENT OF LABOR

SUBCHAPTER b: REGULATIONS OF WORKING CONDITIONS

PART 250

ILLINOIS CHILD LABOR LAW

SUBPART A: DEFINITIONS

Section

- 250.100 Definition of the Act
250.105 ~~Statutory Terms Defined~~ Definitions
250.110 Minor (Repealed)
250.115 Agriculture (Repealed)
250.120 Week (Repealed)
250.125 Work (Repealed)
250.130 Time Record (Repealed)
250.135 Premises (Repealed)
250.140 Suffer (Repealed)
250.145 Garage (Repealed)
250.150 Employer and all interested parties (Repealed)

SUBPART B: DETERMINATION OF THOSE ESTABLISHMENTS
AND/OR MINOR EMPLOYERS SUBJECT TO THE ACT
EMPLOYMENT CONDITIONS SUBJECT TO THE ACT

Section

- 250.200 ~~Employer-Employee-Relationship~~ Employers Subject to the Act
250.205 Minors Assisting Employees of Tax Supported School Lunch Programs
250.210 Movie Theatres
250.215 Car Wash
250.220 Employment in or about Airfields
250.225 Office and Ice Cream Dispensing Equipment
250.230 Enclosed, Self-sealing Automatic Dishwashers
250.235 Power Driven Machinery
250.240 Exhibition Park or Place of Amusement
250.245 Employment in Establishments Selling Package Liquors
250.250 Shopping Malls and Similar Structures Containing Two or More Buildings
250.255 Performances in Alcoholic Beverage Serving Establishments Excepting those Theatrical Productions in Sec. 8 of the Act
250.260 Employment of Minors and Models
250.265 Parent/Guardian Required Presence at Performance
250.270 Non-Resident Minor Seeking Employment

SUBPART C: HOURS OF EMPLOYMENT

Section

- 250.300 Number of Days Employment Limit

NOTICE OF ADOPTED AMENDMENTS

SUBPART D: EMPLOYMENT CERTIFICATE ISSUING OFFICERS

Section
250.400

Issuing Officers are responsible for:

SUBPART E: RESPONSIBILITIES OF EMPLOYERS

Section
250.500

The Employer shall:

SUBPART F: APPLICABILITY OF THE ILLINOIS
ADMINISTRATIVE PROCEDURE ACTSection
250.600

~~Suspension or Revocation of Employment Certificates~~
~~Revocation of Employment Certificates; Civil Penalty Assessments~~

SUBPART G: HEARING PROCESS

Section
250.700

Procedure and Time Table for Suspension or Revocation of Employment Certificates
250.705 Procedure for Child Labor Penalty Assessment
250.710 Assessing Penalties
250.715 Procedure for Contested Cases; Suspension or Revocation of Employment Certificates; Final Determinations of Civil Penalties

SUBPART H: AN EMPLOYER SHALL BE CITED FOR
VIOLATIONS OF THE ACT AS FOLLOWS:Section
250.800

- 250.800 Minimum Age
250.805 Hours of Work
250.810 Meal Period
250.815 Posting of Hours
250.820 Time Record
250.825 Hazardous Occupations
250.830 Minor Under Sixteen Appearing in Theatrical Productions
250.835 Employment Certificate Required
250.840 Duties of Employers
250.845 Violations of Section 250.260 of the Rules and Regulations Pertaining to Employment of Minors as Models
250.850 Parent/Guardian Not Present at Performance
250.855 Minors Under Sixteen Appearing in Television or Motion Picture Productions
250.860 Minors: Athletic or Acrobatic Activity and Stunts

(Authority: Implementing Section 1, 2, 6, 8.1, 17.1-17.3 of the Illinois Child

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Labor Law (Ill. Rev. Stat. 1989 ch. 48, pars. 31.1, 31.3, 31.6, 31.8-1, 31.17-31.73).

(Source: Adopted 2 Ill. Reg. 22, p. 64 effective May 23, 1979, amended at 5 Ill. Reg. 902, effective January 14, 1981; codified 8 Ill. Reg. 18483; emergency amendments at 15 Ill. Reg. 16132, effective October 25, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 5335, effective March 24, 1992.

SUBPART A: DEFINITIONS

Section 250.105 Statutory Terms-Defined Definitions

"Agriculture" includes farming in all its branches and among other things includes the cultivation and tillage of the soil, dairying, the production, cultivation, growing and harvesting of any agricultural commodity (including commodities defined as agricultural commodities in section 15(g) of the U.S. Agricultural Marketing Act, as amended (7A U.S.C. 1141 et seq.), the raising of livestock, bees, furbearing animals, or poultry, and any practices (including any forestry or lumbering operations) performed by a farmer or on a farm as an incident to or in conjunction with such farming operations, including preparation for market, delivery to storage, or to market, or to carriers for transportation to market. The phrase "incident to or in conjunction with" shall not include construction, by a private contractor, of farm buildings on a farm.

"Day" means a calendar day.

~~As used herein Department of Labor shall mean the Illinois Department of Labor, its director, and his authorized representatives.~~

"Department of Labor" and "Department" shall mean the Illinois Department of Labor, its director, and his/her authorized representatives.

"Employed" means the relationship between a minor and an employer wherein a minor performs services for the benefit of an employer with the actual or implicit knowledge of the employer. The presence of a minor on an employer's premises performing work shall constitute prima facie evidence of the minor's employment therein. This principle applies equally to the employer that is also a specified minor's family member, except as provided in Section 2 of the Act.

"Employer" means any individual, partnership, association, corporation, business trust, enterprise, or any person or group of persons acting directly or indirectly in the interest of an employer in relationship to a minor.

"Enterprise" means an activity as defined by Section 3 of the Fair

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Labor Standards Act of 1938 (29 U.S.C. 203(r) and (s)).

"Filling Station or Service Station": the phrase "in or about any filling station or service station" shall include those areas used for convenience and/or grocery stores at a filling station or service station.

"Gainful Occupation" means any service, trade, business, profession, or calling a minor pursues with the reasonable expectation of compensation.

"Garage" means, but is not limited to, establishments selling and/or repairing automobiles, trucks, farm implements, and other vehicles capable of being propelled by their own power, and their premises; provided that office employment shall not be prohibited.

"Minor" means children that have not attained their sixteenth birthday. For the purpose of this Act, a person attaining their sixteenth birthday shall no longer be considered a minor.

"Permitted or Allowed" means the imposition of liability on a person who does not directly employ a minor in violation of the Act, but has sufficient control over the employer to discover the illegal employment and sever the employment relationship.

"Premises", as used in Section 6 and 7 of the Act, means a specified employer's buildings, grounds and appurtenances, but shall not include the designated space of separate and independent employers conducting business under a common roof.

"Suffer" means to tolerate, allow or permit to perform an act of working.

"Time Record" means an accurate time record for each minor employed. Time Records shall include the following information for each minor: name, address, date of birth, starting and ending dates of employment, starting and ending dates of each work day, starting and ending time of each meal break and number of hours worked daily and weekly.

"Week" means the calendar week, i.e., that seven consecutive day period beginning at 12:01 a.m. on Sunday morning and ending on the following Saturday night at midnight.

"Work" means all times during which an employed minor is required, permitted or allowed to be on the employer's premises, or at a prescribed work place.

(Source: Amended at 16 Ill. Reg. 5335, effective March 24, 1992)

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Section 250.110 Minor (Repealed)

As used herein the term "Minor" shall mean children that have not attained their sixteenth birthday. For the purpose of this Act, a person attaining their sixteenth birthday shall no longer be considered a minor.

(Source: Repealed at 16 Ill. Reg. 5335, effective March 24, 1992)

Section 250.115 Agriculture (Repealed)

As used herein, Agriculture includes farming in all of its branches and among other things includes the cultivation and tillage of the soil, dairying, the production, cultivation, growing and harvesting of any agricultural commodities in the U.S. Agricultural Marketing Act, as amended (7 U.S.C. 1621 et seq.), the raising and caring for livestock, bees, fur bearing animals, or poultry, and any practices (including forestry or lumbering operations) performed by a farmer or on a farm as an incident to or in conjunction with such farming operations, including preparation for market, delivery to storage, or to market, or to carriers for transportation to market, but not the operation of processing such commodities and any activities subsequent to such operations. The phrase "incident to or in conjunction with" shall not include construction, by a private contractor, of farm buildings on a farm.

(Source: Repealed at 16 Ill. Reg. 5335, effective March 24, 1992)

Section 250.120 Week (Repealed)

As used herein "week" means the calendar week, i.e., that seven consecutive day period beginning at 12:01 a.m. on Sunday morning and ending on the following Saturday night at midnight.

(Source: Repealed at 16 Ill. Reg. 5335, effective March 24, 1992)

Section 250.125 Work (Repealed)

As used herein the word "work" shall mean:

- a) All times during which an employed minor is necessarily required to be on the employer's premises, on duty or at a prescribed work place, and
- b) those hours of each day a minor is required to attend school as prescribed by the School Code (Ill. Rev. Stat. 1993, ch. 122, pars. 1-1 et seq.)

(Source: Repealed at 16 Ill. Reg. 5335, effective March 24, 1992)

Section 250.130 Time Record (Repealed)

As used herein "time record" shall mean employer maintained documentation of time starting and ending, time out for lunch and time in after lunch, in addition to

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daily and weekly totals of hours worked.

(Source: Repealed at 16 Ill. Reg. 5335, effective March 24, 1992)

Section 250.135 Premises (Repealed)

As used herein the word "premises" shall mean a building, including its grounds, or other appurtenances.

(Source: Repealed at 16 Ill. Reg. 5335, effective March 24, 1992)

Section 250.140 Suffer (Repealed)

As used herein the word "suffer" shall mean to tolerate, allow or permit to perform an act of working.

(Source: Repealed at 16 Ill. Reg. 5335, effective March 24, 1992)

Section 250.145 Garage (Repealed)

As used herein the term "garage" shall include but not be limited to, establishments selling AND/OR repairing automobiles, trucks, farm implements, and other vehicles capable of being propelled by their own power, and their premises, provided that office employment shall not be prohibited.

(Source: Repealed at 16 Ill. Reg. 5335, effective March 24, 1992)

Section 250.150 Employer and all interested parties (Repealed)

"Employer and all interested parties" as used in Section 16 of the Act shall include but not be limited to the Director of Labor, the issuing officer, the minor, and the employer.

(Source: Repealed at 16 Ill. Reg. 5335, effective March 24, 1992)

SUBPART B: DETERMINATION OF THOSE ESTABLISHMENTS
AND/OR MINOR EMPLOYERS
EMPLOYMENT CONDITIONS
SUBJECT TO THE ACT

Section 250.200 Employer-Employee Relationship Employers Subject to the Act

- a) The Employer-Employee relationship, required in order for the Child Labor Law to apply, is determined by the inclusion of the minor on the payroll records AND/OR by his or her receiving remuneration. Such remuneration need not be monetary. This principle applies equally to employer/parent-employee/child relationships. The only exemptions granted the parent/employer are provided in Section 2 of the Act.

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- b) ~~if "payments" to the individual are irregular, an Employer-Employee relationship is said to exist for all times the individual has worked for that employer not just for periods in which such payments have been made in a given pay period.~~

An employer becomes subject to the Act by the presence of a minor on the employer's premises performing work, or by the inclusion of a minor on the employer's payroll, or by a minor receiving or having a reasonable expectation of receiving compensation from the employer. Such compensation need not be monetary. For purposes of this Section, compensation shall not include provision of food, clothing and shelter by a parent or a legal guardian.

(Source: Amended 16 Ill. Reg. 5335, effective March 24, 1992)

SUBPART E: RESPONSIBILITIES OF EMPLOYERS

Section 250.500 The Employer shall:

- a) Upon receiving a "Notice of Suspension" immediately suspend the employment of the minor until the final order is received. Said employer is then responsible for proper action as dictated by the final order.
- b) Become informed in the application of the Act and these Rules to his establishment or enterprise. Such information is available at the Chicago office of the Department of Labor and shall be provided upon request.
- c) Maintain a time record on each minor employee for at least 3 years irrespective of whether the employee has been terminated.
- d) Keep the required time records, or duplicate copies thereof, at the place of employment or business at which the minor is currently employed and retain time records for terminated employees at the place of employment for at least 6 months after the date of termination.
- e) Make available the required Time Records for inspection and transcription by a duly authorized agent of the Department during the regular business hours observed by the employer.

(Source: Amended at 16 Ill. Reg. 5335, effective March 24, 1992)

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SUBPART F: APPLICABILITY OF THE ILLINOIS
ADMINISTRATIVE PROCEDURE ACTSection 250.600 ~~Suspension or Revocation of Employment Certificates~~ Revocation
of Employment Certificates; Civil Penalty Assessments

The provisions of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1977, ch. 127, pars. 1001 et seq.) shall apply for the conduct of hearings and resolution of contested cases involving the suspension or revocation of employment certificates issued under the provisions of Section 9 through Section 12 of the Act to contested cases involving the revocation of employment certificates under Section 16 and 17 of the Act and the final determination of civil penalties under Sections 17 and 17.3 of the Act.

(Source: Amended at 16 Ill. Reg. 5335, effective March 24, 1992)

SUBPART G: HEARING PROCESS

Section 250.700 Procedure and Time Table for Suspension or Revocation of
Employment Certificates

- a) The Director and other persons involved in the suspension and revocation of employment certificates shall advise in writing each minor for whom an employment certificate has been suspended of the hearing process.
- b) The minor may within five (5) days of the receipt of the suspension notice request an informal investigatory hearing which shall be conducted at the Chicago or Springfield office of the Department of Labor within twenty-one (21) days of the issuance of the suspension notice. If said notice by the minor is not received by the department within the aforementioned five days the suspension shall become a revocation and a final order shall become effective 21 days after the original notice of suspension was issued. If the informal hearing is requested and the problem resolved, the Director shall within five (5) days of the conclusion of the informal hearing issue the final order. If the informal hearing is requested and held but does not resolve the problem, the minor may within five (5) days of the informal hearing request a formal hearing under the provisions of the Illinois Administrative Procedure Act. The formal hearing shall be conducted at the Chicago or Springfield office of the Department of Labor within twenty-one (21) days of the informal hearing.
- d) If said notice by the minor is not received within the aforementioned five days, the revocation shall be final and the Director of Labor shall issue a final order within 21 days after the informal hearing. A final order resulting from the formal hearing shall be issued by the Director within five (5) days of the conclusion of said formal hearing.

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- a) The Department of Labor shall notify all interested parties to an employment certificate suspension pursuant to Section 16 and 17 of the Act of the Department's suspension action and of the Department's hearing procedure to either reinstate or revoke the certificate.
- b) A minor may, within 10 days after receipt of a suspension notice, request an informal investigation conference. The request must be mailed to the Department's Chicago office. The Department shall make an initial determination with respect to the legal and factual merits of the minor's request.
- c) If the request presents a reasonable issue of law or fact, an informal investigative conference shall be conducted at the Department's Chicago or Springfield office within 21 days of the issuance of the suspension notice. If the request is denied, the Department shall notify the minor of its findings in writing within 10 days.
- d) If an informal conference is held, and the matter resolved, the Department shall within 10 days after the conference issue a final order.
- e) If an informal investigative conference was requested and held but did not resolve the matter, a minor may make a written request within 10 days after the investigative conference for an administrative hearing pursuant to Section 250.715 of this Part. A request shall be prominently marked "REQUEST FOR ADMINISTRATIVE HEARING ON EMPLOYMENT CERTIFICATE." The Department shall conduct the hearing at its Chicago or Springfield office within 21 days after the informal hearing. The Department shall issue a final order 10 days after the administrative hearing.
- f) If a minor does not tender a request for an administrative hearing to the Department within 10 days after an informal investigative conference, the suspension shall become a final order of revocation on the 22nd day after the investigative hearing.
- g) As used herein "day" shall refer to a calendar day. If the deadline for a conference or a hearing request falls on a week end or a holiday, the minor may tender the request on the next following business day.

(Source: Amended at 16 Ill. Reg. 5335, effective March 24, 1992)

Section 250.705 Procedure for Child Labor Penalty Assessment

- a) The Department shall conduct investigations, conferences, or hearings for the purpose of assessing penalties as provided under Section 17 of the Act.
- b) When the Department finds, upon evidence resulting from an investigation pursuant to Section 17 of the Act, that an employer has violated the Child Labor Law and/or Regulations, the Department may convene an informal investigative conference for the purpose of obtaining evidence, identifying the issues in dispute, and exploring the possibility of a negotiated settlement. Notice of the conference shall be given to the employer at least 10 days prior thereto and shall

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- c) identify the individuals requested to attend, along with any books, records or documents the employer must produce at the conference. The Department shall consider the matter resolved in the event a settlement has been reached prior to the conference date.
- d) An employer may be accompanied at the informal investigative conference by an attorney, and by a translator if necessary. The employer may bring witnesses to the conference in addition to those whose attendance may be specifically requested by the Department, but the Department employee conducting the conference shall decide which witnesses shall be heard and the order in which they are heard. The Department employee conducting the conference may exclude witnesses and other persons from the conference when they are not giving evidence, except that the employer's counsel, and translator if necessary, may be permitted to remain throughout. The Department employee shall conduct and control the proceedings. No tape recording, stenographic report or other verbatim record of the conference shall be made.
- e) If any person becomes disruptive or abusive, the Departmental employee shall exclude the person from the conference and shall continue the conference without the excluded individual.
- f) If the informal investigative conference was held but did not resolve the dispute, a final determination on the amount of civil penalties shall be made in an administrative hearing pursuant to the provisions of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1977, ch. 127, pars. 1001 et seq.) and Section 250.775 of this Part.

(Source: Added at 16 Ill. Reg. 5335, effective March 24, 1992)

Section 250.710 Assessing Penalties

- a) The administrative determination of an amount of civil penalties, not to exceed \$5,000 for each violation of the Act and the Regulations, shall be based on the available evidence of the violation(s) and shall consider the size of the employer's business and the gravity of the violation(s).
- b) The Department's assessment of civil penalties shall consider the size of the employer's business. The assessment will take into account the number of employees employed by the employer, the gross dollar volume of sales or business done, the employer's capital investments and financial resources, and other information relevant to the size of the employer's business.
- c) The Department's assessment of civil penalties shall consider the gravity of the offense(s). The assessment will take into consideration, among other things, any history of prior violations, any evidence of willfulness or failure to take reasonable precautions to avoid violations, the number of minors illegally employed, the age of the minors employed, the absence of employment certificates, the occupations in which the minors were employed, exposure of the minors to hazards and any resultant injury to the minors, the duration

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of the illegal employment, and, as appropriate, the hours of the day in which it occurred and whether the employment was during or outside school hours. The Department shall not consider an employer's assertion that it was unaware of the Act and/or Regulations as a mitigating factor in determining the gravity of the offense(s).

- d) A determination of civil penalties made in an administrative hearing pursuant to the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1989, ch. 127, pars. 1001 et seq.) and Section 250.715 of this part shall be final.

(Source: Added at 16 Ill. Reg. 5335, effective March 24, 1992)

Section 250.715 Procedure For Contested Cases; Suspension or Revocation of Employment Certificates; Final Determinations of Civil Penalties

The Department shall conduct administrative hearings for all contested cases involving the revocation of employment certificates and the final determination of civil penalties pursuant to the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1989, ch. 127, pars. 1001 et seq.) and to 68 Ill. Adm. Code 680.230.

(Source: Added at 16 Ill. Reg. 5335, effective March 24, 1992)

SUBPART H: AN EMPLOYER SHALL BE CITED FOR VIOLATIONS OF THE ACT AS FOLLOWS:

Section 250.805 Hours of Work

A separate violation of Section 3 of the Act shall be charged for each every instance in which an employer employed, permitted, or allowed a minor employed to work:

- a) over eight hours per day;
- b) over three hours on a day school is in session;
- c) between 7 p.m. and 7 a.m. from Labor Day until June 1 or between 9 p.m. and 7 a.m. from June 1 until Labor Day;
- d) for more than six days in a calendar week;
- e) over eight hours per day combined school and work;
- a) for more than six consecutive days in any calendar week;
- b) over 48 hours in any calendar week when school is not in session;
- c) over eight hours per day;
- d) between 7 p.m. and 7 a.m. from Labor Day until June 1 or between 9 p.m. and 7 a.m. from June 1 until Labor Day;
- e) over three hours on a day school is in session;
- f) over eight hours per day combining school and work hours;
- g) over twenty-four hours in any calendar week when school is in session.

(For specific requirements for minors under sixteen appearing television or motion picture productions, see Section 250.855.)

DEPARTMENT OF LABOR

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(Source: Amended at 16 Ill. Reg. 5335, effective March 24, 1992)

Section 250.820 Time Record

- a) A violation of Section 6 of the Act shall be charged for each minor employed upon whom the employer has failed to keep a register of name, age and place of residence.
- b) A violation of Section 250.500c of the Rules and Regulations of this Part shall be charged for each minor employed upon whom the employer has failed to keep a record of time starting and ending work, time out for lunch and in after lunch meals, and the daily and weekly totals of hours worked.

(Source: Amended at 16 Ill. Reg. 5335, effective March 24, 1992)

Section 250.825 Hazardous Occupations

A violation of Section 7 of the Act AND/OR Section 250.210, 250.215, 250.220, 250.235, AND/OR 250.240 of these Rules and Regulations this Part, as appropriate, shall be charged for each minor employed in a hazardous occupation.

(Source: Amended at 16 Ill. Reg. 5335, effective March 24, 1992)

Section 250.855 Minors Under Sixteen Appearing in Television or Motion Picture Productions

A violation shall be charged under Section 8.1 of the Act for each minor employed:

- a) for whom an employment certificate has not been issued;
- b) who performs without the presence of the parent or guardian;
- c) who performs in excess of eight hours per day or 48 hours per week, except that minors under seven years of age shall not work in excess of six hours per day or 36 hours per week;
- d) who perform in excess of six days in a week;
- e) who works before 6:00 a.m. or after 11:00 p.m. on any day;
- f) who fails to attend school or receive educational services as provided by the Illinois School Code;
- g) who is not provided with a twelve hour rest break at the end of his or her work day and prior to the commencement of his or her next day of work or school;
- h) who is not provided with separate and adequate facilities for rest, schooling, and recreation.

(Source: Added at 16 Ill. Reg. 5335, effective March 24, 1992)

Section 250.860 Minors: Athletic or Acrobatic Activity and Stunts

DEPARTMENT OF PUBLIC AID

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1) The Heading of the Part: CRISIS ASSISTANCE

2) Code Citation: 89 Ill. Adm. Code 116

3) Section Numbers: Adopted Action:

116.500 Amendment

116.520 Amendment

4) Statutory Authority: Section 4-12 of the Illinois Public Aid Code (Ill. Rev. Stat. 1989, Ch. 23, Par. 4-12, as amended by Public Act 87-14)

5) Effective Date of Adopted Amendments: March 20, 1992

6) Does this rulemaking contain an automatic repeal date?
Yes ☒ No ☐

7) Do these Adopted Amendments contain incorporations by reference? No

8) Date Filed in Agency's Principal Office: March 20, 1992

9) Notice of Proposal Published in Illinois Register:

November 15, 1991 (15 Ill. Reg. 16623)

10) Has JCAR issued a Statement of Objections to these Adopted Amendments? No

11) Differences between proposal and final version: No changes were made to this rulemaking.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will these Adopted Amendments replace Emergency Amendments currently in effect? Yes

14) Are there any Amendments pending on this Part? No

15) Summary and Purpose of Adopted Amendments: These rules add a requirement to Special Assistance and Hardship Assistance that such assistance may be given only during one period of thirty (30) consecutive days in any twelve (12) consecutive months. This is the identical requirement already found in Emergency Assistance. This requirement was added by Public Act 87-14.

DEPARTMENT OF LABOR

NOTICE OF ADOPTED AMENDMENTS

It shall be a violation of the Act to require a minor performing in any theatrical, television and/or motion picture production to perform any unusual athletic or acrobatic activity or stunts unless the minor and parent or guardian represent that the minor is capable of performing such activity and the parent or guardian gives prior consent in writing. Provided no minor shall be required to work in any hazardous situation which places him or her in a clear and present danger to life or limb, regardless of any parental consent.

(Source: Added at 16 Ill. Reg. 5335, effective March 24, 1992)

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

16) Information and questions regarding these Adopted Amendments shall be directed to:

Name: Anita Williams, Staff Attorney
Office of the General Counsel

Address: Illinois Department of Public Aid
100 South Grand Avenue East
Jesse B. Harris Building II, 3rd Floor
Springfield, Illinois 62762

Telephone: 217/782-1233

The full text of the Adopted Amendments begins on the next page:

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER b: ASSISTANCE PROGRAMS

PART 116

CRISIS ASSISTANCE

Section	Incorporation By Reference
116.10	Crisis Assistance Programs
116.400	Special Assistance Program
116.500	Emergency Assistance Program
116.510	Hardship Program
116.520	

AUTHORITY: Implementing Articles III, IV and VI and authorized by Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1989, ch. 23, pars. 3-1 et seq., 4-1 et seq., 6-1 et seq. and 12-13)

SOURCE: Filed and effective December 30, 1977; amended at 4 Ill. Reg. 13, p. 1287, effective March 17, 1980; amended at 5 Ill. Reg. 12722, effective October 28, 1981; codified at 7 Ill. Reg. 5195; emergency amendment at 9 Ill. Reg. 18154, effective November 15, 1985, for a maximum of 150 days; amended at 10 Ill. Reg. 11027, effective June 11, 1986; amended at 11 Ill. Reg. 6487 effective March 17, 1987; amended at 12 Ill. Reg. 14207, effective August 30, 1988; amended at 13 Ill. Reg. 3847, effective March 10, 1989; amended at 14 Ill. Reg. 16970, effective September 30, 1990; amended at 15 Ill. Reg. 16719, effective November 1, 1991; emergency amendment at 15 Ill. Reg. 16772, effective November 1, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 5350, effective March 20, 1992.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

Section 116.500 Special Assistance Program

a) A special assistance payment may be provided in the following situations:

- 1) THE FAMILY IS RENDERED HOMELESS OR IS THREATENED WITH HOMELESSNESS AS A RESULT OF A FIRE, FLOOD OR OTHER NATURAL DISASTER.
- 2) THE FAMILY HAS AN EVICTION OR A COURT ORDER TO VACATE THE PREMISES FOR REASONS OTHER THAN NON-PAYMENT OF RENT.

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

Section 116.500 Special Assistance Program (Cont'd)

3) A SPOUSE AND CHILD HAVE LEFT THE RESIDENCE OCCUPIED BY A SPOUSE WHO WAS PHYSICALLY ABUSING THE NOW HOMELESS SPOUSE OR CHILD.

4) THE FAMILY IS DEPRIVED OF ESSENTIAL ITEMS OF FURNITURE AND/OR CLOTHING BY FIRE, FLOOD OR OTHER NATURAL DISASTER (Section 4-12 of the Illinois Public Aid, Ill. Rev. Stat. 1985-1989, ch. 23, par. 4-12).

5) The family is deprived of food as a result of fire, flood or other disaster which does not render the family homeless and cannot be met through the food stamp program. Food cannot be authorized for replacement of lost or stolen food stamps.

6) The family is threatened with dissolution of the family unit by economic necessity as evidenced by a decision by the Illinois Department of Children and Family Services (DCFS) that the child will have to be placed in a foster home setting if the economic crisis is not alleviated.

b) Payment shall be made for the following items when the recipient has demonstrated a need for such an item:

- 1) One month's rent:
- 2) Food (minus the amount of available food stamps);
- 3) Essential clothing;

A) Essential clothing is defined as those articles of clothing appropriate for the season which the recipient would have purchased with the money which is lost or stolen.

B) If everyone in the assistance unit has at least one full set of clothing, appropriate to the season, this allowance for clothing will not be authorized.

- 4) Household supplies; and
- 5) Essential household furnishings.

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

Section 116.500 Special Assistance Program (Cont'd)

c) Maximum Payments

1) Shelter Costs (One month's rent)

Group I Counties-\$142.00
Group II Counties-\$123.00
Group III Counties-\$87.00
(See 89 Ill. Adm. Code 113.258 for County Groups)

2) Clothing, Household Supplies

Size Assistance Unit	Clothing	Household Supplies
1	\$ 34.00	\$11.00
2	\$ 58.00	\$14.00
3	\$ 92.00	\$17.00
4	\$117.00	\$17.00
5	\$146.00	\$20.00
6	\$174.00	\$20.00
7	\$204.00	\$22.00
8	\$233.00	\$22.00
9	\$261.00	\$23.00
10	\$291.00	\$24.00

3) Food - \$2.00 per person per day until the receipt of the next regular warrant (AFDC recipients) or until receipt of regular source of income or receipt of food stamps (non-AFDC recipients) not to exceed 30 days.

4) Household Furnishings

A) Kitchen table - \$50.00
one per assistance unit

B) Kitchen Chair - \$10.00
one per person in assistance unit

C) Beds - to ensure adequate sleeping facilities for all members of the assistance unit.

i) Bed frame - \$30.00

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

Section 116.500

Special Assistance Program (Cont'd)

- ii) Single mattress and springs - \$70.00
- iii) Double mattress and springs - \$100.00
- iv) Bunk beds (including mattresses and springs) - \$130.00
- v) Crib (including mattress) - \$65.00

d) Time Limits

- 1) For families already receiving financial assistance, a decision on a request for Special Assistance shall be made within five (5) work days of the date of request. Assistance shall be authorized within two (2) work days following the decision.
- 2) For families not already receiving financial assistance:
 - A) five (5) work days shall be allowed for the client to provide necessary verifications; and five (5) work days shall be allowed to determine eligibility.
 - B) Assistance shall be authorized within five (5) work days of a determination of eligibility.

e) Program Restriction

The recipient may only receive special assistance during one period of thirty (30) consecutive days in any twelve (12) consecutive months. This may include payments to meet needs which occur before or extend beyond the thirty (30) day period.

(Source: Amended at 16 Ill. Reg. 5350, effective March 20, 1992)

Section 116.520 Hardship Program

- a) When a client who is receiving financial assistance as a General Assistance (GA) case in the City of Chicago, or as an Aid to Families with Dependent Children

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

Section 116.520 Hardship Program (Cont'd)

(AFDC) case, or as an Aid to the Aged, Blind or Disabled (AABD) case experiences a hardship resulting from needs which cannot be met from existing client resources, existing community resources, the assistance standards, Medical Assistance Program, Special Assistance Program or Emergency Assistance Program, the client may request special consideration as a hardship. Needs covered by the Hardship Program include:

1) Essential Food

If the client fails to use all existing community resources for food, the allowance for food will not be authorized.

2) Essential Clothing

A) Essential clothing is defined as those articles of clothing appropriate for the season.

B) If everyone in the assistance unit has at least one full set of clothing, appropriate to the season, this allowance for clothing will not be authorized.

3) Repairs or Replacement of Furnaces (Homestead Property Only)

A) No repair or replacement will be authorized when there is co-ownership of the property with an individual not in the assistance unit.

B) Repair or replacement of a furnace is limited to property that is not in danger of foreclosure. The assistance unit must provide verification which indicates mortgage payments and tax payments are current.

C) No repair or replacement of the furnace will be approved for homes which have knowingly been purchased with non-working furnaces.

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

Section 116.520

Hardship Program (Cont'd)

- D) Before total replacement of a furnace is considered, verification must be provided from a reputable source (i.e., recognized in the community as being in the furnace repair business) that the furnace is not repairable.
- E) Hardship Assistance for furnace repair must be seasonally appropriate (September through May).

4) Non-Medical Needs Related to Essential Medical Care

Non-medical needs for essential medical care are needs associated with the provision of specialized or essential medical care and include the following:

- A) Food - when overnight lodging is required or when extensive travel is required during the day in order to obtain essential or specialized medical care.
- B) Lodging - when overnight lodging is required to obtain essential or specialized medical care.
- C) Transportation to the source of essential or specialized medical care when it cannot be provided by the Medical Assistance Program or some other source. Transportation expenses for routine office visits associated with normal medical care shall not be allowed.
- D) Telephone Installation - when a telephone is essential for medical treatment.

b) Maximum Payments

The maximum payments for essential food, clothing, and household furnishings used under the Special Assistance Program (see Section 116.500) are also used for the Hardship Program. The maximum payment amounts allowed for other items are:

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

Section 116.520

Hardship Program (Cont'd)

- 1) Repair or Replacement of a furnace - Repair or replacement of a furnace will be based on the lowest cost estimate from a reputable source for the same or similar type heating system. No up-grading of heating systems will be approved.
- 2) Non-medical needs related to essential medical care:

A) Food - \$9.00 a day or \$3.00 per meal.

B) Lodging - Lodging expenses shall be approved for the least expensive rate which provides lodging that is adequate and available to meet the individual's needs. Payment will not be provided for a higher amount if it can be determined that lodging is available free of charge or at a lower rate.

C) Transportation - when transportation cannot be provided by the Medical Assistance Program, transportation expenses shall be approved for the least expensive mode of transportation adequate to meet the individual's needs. When transportation is by private automobile, the allowable rate shall be at 24¢ per mile.

D) Telephone Installation - When medically necessary, payment shall be made for the installation of one telephone, based on the service estimate provided by the local phone company. If the telephone instrument cannot be leased from the phone company, payment may also be authorized to purchase a telephone. Payments shall not be authorized for required deposits, for previously owed bills, or for on-going monthly bills once the phone has been installed.

c) Eligibility for the Hardship Program

- 1) Eligibility for non-medical needs related to essential medical care is determined through the verification of a specialized or essential medical need. The verification of a specialized or essential medical need is provided by the

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

Section 116.520 Hardship Program (Cont'd)

client's primary care physician. Eligibility for all other needs defined under the Hardship Program shall be determined by verifying the need for hardship assistance and by calculating the amount of income the family has available to meet the verified hardship need.

- 2) If the family's available income is more than the cost of the needed item, the family is not eligible for Hardship Assistance. Available income is calculated by subtracting the family's necessary living expenses from the family's total income. The family is defined as children, the children's mother, father (including step-parents and grandparents), if they reside in the household.

- 3) Income from all sources is used to determine the family's total income. Total income includes, but is not limited to the following: all public assistance grants, SSA, SSI, Child Support, energy assistance checks, wages, retirement benefits, pensions, etc. No source of income is exempt from consideration when determining the family's total income.

- 4) The following expenses only are considered necessary living expenses under the Hardship Program:

- A) Shelter - rent or mortgage
- B) Necessary utilities - heat, gas, electricity, water, sewer and trash
- C) A food expense amount - determined by subtracting the family's food stamp amount from the USDA maximum for that size household (see 89 Ill. Adm. Code 121.64).
- D) An amount, based on size of the assistance unit for the purchase of household supplies. The allowable amounts are:

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

Section 116.520 Hardship Program (Cont'd)

Size Assistance Unit	Household Supplies
1	\$11.00
2	\$14.00
3	\$17.00
4	\$17.00
5	\$20.00
6	\$20.00
7	\$22.00
8	\$22.00
9	\$23.00
10	\$24.00

For assistance units greater than 10, allow \$1.00 for each additional person.

- 5) When there are other people present in the household that have income but are not part of the family, expenses for shelter, utilities and food shall be prorated. When there are two or more separate assistance units in the same household, expenses should be prorated between the two assistance units.
- 6) Only rent, mortgage and necessary utility expenses which have been verified as actually paid by the client shall be allowed as a living expense. The family's necessary living expenses are subtracted from the family's total income to determine the family's available income. This income is considered to be available for use by the family to meet its hardship need(s).
- 7) The family's available income is compared to the cost (the maximum payment amount) of the needed item. If the family's available income is more than the cost of the needed item, the family is not eligible for Hardship Assistance.
- 8) When more than one item is needed, the Department shall subtract the cost of the most expensive items from available income which ensures that the maximum amount of the family's available income is applied toward the cost of the needed

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

Section 116.520 Hardship Program (Cont'd)

items. The combination of items which can be purchased by the maximum use of available income will be disapproved by the Department. The remaining needed items which cannot be purchased through the use of available income shall be approved by the Department.

d) Time Limits

- 1) A decision shall be made and assistance, if any, issued within forty-five (45) days of the date of the request for hardship assistance.
- 2) When a home visit to verify need has been attempted, seven (7) calendar days shall be allowed for the client to contact the Department and schedule a second visit. If the client fails the second attempted visit, the request for hardship assistance will be denied.
- 3) Ten (10) calendar days shall be allowed for the client to provide any additional verification, which was not available at the home visit.

e) Program Restrictions

- 1) Payment for the cost of repair or maintenance of homestead property for AFDC and GA clients shall not be allowed under this program. See 89 Ill. Adm. Code 113.307 for property repairs as a special need item for AABD clients.
- 2) Except for non-medical needs related to essential medical care, the recipient may only receive hardship assistance during one period of thirty (30) consecutive days in any twelve (12) consecutive months. This may include payments to meet needs which occur before or extend beyond the thirty (30) day period.

(Source: Amended at 16 Ill. Reg. 5350, effective March 20, 1992

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

1) Heading of Part: Qualification of Drivers

2) Code Citation: 92 Ill. Adm. Code 391

3) Section Numbers:

391.2000

Adopted Action:

Amend

4) Statutory Authority: Implementing Sections 18b-100 et seq. and authorized by Sections 18b-102 and 18b-105 of the Illinois Motor Carrier Safety Law (Ill.Rev.Stat. 1991, ch. 95 1/2, pars. 18b-100 et seq.).

5) Effective date of rules: March 23, 1992

6) Does this rulemaking contain an automatic repeal date? No

7) Does this amendment contain incorporations by reference?

Yes. These conform to Section 6.02(a) of the IAPA.

8) Date filed in agency's principal office: March 17, 1992

9) Notice of proposal published in Illinois Register:

November 15, 1991, 15 Ill. Reg. 16653

10) Has JCAR issued a Statement of Objections to these rules? No

11) Differences between proposal and final version: None

12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreements letter issued by JCAR? No changes were necessary.

13) Will this rule replace an Emergency Rule currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and purpose of rules:

By this Notice of Adopted Amendments, the Department is updating the date of incorporation by reference of 49 CFR 391 as of October 1, 1990 to include the federal rule adopted at 56 FR 40806, August 16, 1991.

The Department is adopting the Federal Controlled Substance Testing requirements which include random and post-accident drug testing previously enjoined on January 6, 1989 by the Federal District Court in Northern California. On April 26, 1991, the Ninth Circuit Court of Appeals upheld the FHWA drug testing regulations in their entirety. On

DEPARTMENT OF TRANSPORTATION
NOTICE OF ADOPTED AMENDMENTS

June 28, 1991, the District Court dissolved its injunction which authorizes FHWA to go ahead with implementation of random and post-accident drug testing.

The Department is incorporating by reference Sections of 49 CFR 391 dealing with random and post-accident testing which were not previously incorporated because their implementation was enjoined.

By adopting this rulemaking, the Department's regulations will also incorporate changes made to Part 391 by US DOT in rulemaking Docket:

MC-116 [56 FR 40806 (August 16, 1991)]

Docket MC-116 notifies motor carriers subject to 49 CFR Part 391, Subpart H, that the injunction against the FHWA's drug testing program has been dissolved and that random and post-accident testing, previously deferred, must now be implemented. This rulemaking provides the random and post-accident implementation schedule in a revised Section 391.93. A new definition for "non-suspicion-based post accident testing" was added to Section 391.85.

The Department is incorporating by reference in their entirety Sections 391.87(c)(2), 391.87(h)(2), 391.109, 391.111 and 391.113, the sections dealing with random and post-accident testing which had been deferred. These sections are currently deleted from or altered in the Department's regulations.

This rulemaking corrects an error in Section 391.2000(c)(6)(A) by replacing "26,0001" with "26,001".

This rulemaking corrects an error in the misspelling of the definition of "reportable accident" by replacing the word "occurrence" with the word "occurrence."

Finally, Sections 391.2000(c)(7), 391.2000(c)(9) and 391.2000(c)(11) through (13) were deleted and the remaining Sections were renumbered accordingly.

16) Information and questions regarding these adopted rules shall be directed to:

Ms. Mary Roseberry
Regulations Unit
Illinois Department of Transportation
Division of Traffic Safety
P.O. Box 19212
Springfield, Illinois 62794-9212
(217) 785-3064

DEPARTMENT OF TRANSPORTATION
NOTICE OF ADOPTED AMENDMENTS

By Messenger or Inter-Agency Mail

DOT Annex Building
3215 Executive Park Drive
Commercial Vehicle Safety; 3rd Floor
Springfield

The full text of the Adopted Amendments begins on the next page:

DEPARTMENT OF TRANSPORTATION

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENT(S)

NOTICE OF ADOPTED AMENDMENT(S)

TITLE 92: TRANSPORTATION

CHAPTER I: DEPARTMENT OF TRANSPORTATION

SUBCHAPTER d: MOTOR CARRIER SAFETY REGULATIONS

PART 391

QUALIFICATION OF DRIVERS

Section

391.1000 General

391.2000 Incorporation By Reference of 49 CFR 391

AUTHORITY: Implementing Sections 18b-100 et seq. and authorized by Sections 18b-102 and 18b-105 of the Illinois Motor Carrier Safety Law (Ill. Rev. Stat. 1991, ch. 95 1/2, pars. 18b-100 et seq.).

SOURCE: Adopted at 14 Ill. Reg. 15560, effective September 10, 1990; amended at 15 Ill. Reg. 13189, effective August 21, 1991; amended at 16 Ill. Reg. 5362, effective March 23, 1992.

Section 391.2000 Incorporation By Reference of 49 CFR 391

a) The Department hereby incorporates 49 CFR 391 by reference, as that part of the Federal Motor Carrier Safety Regulations (FMCSR) (49 CFR 390, 391, 392, 393, 395, 396, and 397) that was in effect on October 1, 1990, as amended at 56 FR 40806, August 16, 1991, subject only to the exceptions in subsection (c). No later amendments to or editions of 49 CFR 391 are incorporated.

b) References to subchapters, parts, subparts, sections or paragraphs shall be read to refer to the appropriate citation in 49 CFR 391.

c) The following interpretations of, additions to and deletions from 49 CFR 391 shall apply for purposes of this Part.

1) Section 391.11(b)(1) does not apply to the operator of a commercial motor vehicle used in intrastate commerce.

2) Sections 391.41(b)(3) and (b)(10) do not apply to the operator of a commercial motor vehicle used in intrastate transportation, unless such driver has a record of accidents which would indicate a lack of ability to operate a vehicle in a safe manner, provided the operator, immediately prior to July 29, 1986, was eligible and licensed to operate a commercial motor vehicle; was engaged in operating such vehicle; became disqualified through the adoption of 49 CFR 391 on July 29, 1986, by reason of the application of sections 391.41(b)(3) or (b)(10) with respect to physical conditions existing at that time.

3) Section 391.43 is amended to add paragraph 391.43(f)(4) which reads as follows:

If a medical examiner determines that the driver is qualified to drive only in intrastate transportation due to the application of the provisions of Section 391.2000(c)(2) above, the following shall appear on the medical examiner's certificate: "Qualified only for intrastate transportation in Illinois."

- 4) Section 391.69 is deleted and not incorporated.
- 5) Section 391.83(a) is modified to cause 49 CFR 391, Subpart H to apply to motor carriers and persons who operate a commercial motor vehicle, as defined in subsection (c)(6) in either interstate or intrastate commerce.
- 6) For the purposes of the application of 49 CFR 391, Subpart H, the definition of "Commercial Motor Vehicle" in Section 391.85 is not incorporated and the following definition is provided:
"Commercial Motor Vehicle" means any vehicle operated in intrastate commerce for the transportation of property in any commercial enterprise, for-hire or not-for-hire, with a gross vehicle weight rating or gross combination weight rating of 26,001 pounds or more; or any self-propelled or towed vehicle used on public highways in interstate commerce to transport passengers or property when:

A) The vehicle has a gross vehicle weight rating or gross combination weight rating of 26,001 or more pounds; or

B) The vehicle is designed to transport more than 15 passengers, including the driver; or

C) The vehicle is used in the transportation of hazardous materials in a quantity requiring placarding under the provisions of the Illinois Hazardous Materials Transportation Regulations (92 Ill. Adm. Code: Chapter I, Subchapter C).

77 Section 391.87(c)(2) is not incorporated and the following substituted therefor:

A motor carrier shall notify:

A driver of the results of a periodic or post-accident controlled substance test conducted under 49 CFR 391.87 provided the results were positive; the driver will also be advised of what drug was discovered;

78) Section 391.87(g) is not incorporated and the following substituted therefor:

A motor carrier shall produce upon demand and shall permit the Illinois Department of Transportation or Administrator of the US DOT to examine all records related to the administration and results of controlled substance testing performed under this Part.

97 Section 391.87(h)(2) is not incorporated and the following substituted therefor:

The summary shall include at a minimum:
the number of controlled substance tests administered in each category (i.e., prequalification, periodic and reasonable cause);

810) The schedule established in Sections 391.93(b) and (c) for implementation of a controlled substance testing program is modified as follows:

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENT(S)

- A) The provisions of Section 391.93(b) apply only to motor carriers and operators of commercial motor vehicles engaged in interstate commerce.
- B) The provisions of Section 391.93(c) apply only to motor carriers and operators of commercial vehicles engaged in interstate commerce.
- C) Motor carriers subject to the provisions of Sections 391.93(b) and (c) shall include any driver who operates a commercial motor vehicle in intrastate commerce in the carrier's controlled substance testing program not later than December 21, 1990. (49 CFR 391.93)
- D) Part 391, Subpart H shall apply to motor carriers and drivers who operate commercial motor vehicles only in intrastate commerce effective December 21, 1990. (49 CFR 391.93)

- 11) Section 391.109 is deleted and not incorporated.
- 12) Section 391.111 is deleted and not incorporated.
- 13) Section 391.113(a) is not incorporated and the following substituted therefor: "A motor carrier shall require a driver to be tested for the use of controlled substances as soon as possible after a reportable accident but in no case later than 32 hours after the accident when:
- A) There is any reasonable suspicion of drug usage;
- B) There is any reasonable cause to believe a driver has been operating a vehicle under the influence of drugs; or
- C) There is reasonable cause to believe the driver was at fault in the accident and that drug usage may have been a factor.
- (Section 391.85 of the FMCSR defines reasonable cause to mean that the motor carrier believes the actions or appearance or conduct of a commercial motor vehicle driver on duty are indicative of the use of the controlled substance.)

- 14) For the purposes of this Part, the term "Reportable Accident" means an occurrence involving a commercial motor vehicle resulting in:

The death of a human being; or

Bodily injury to a person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident; or

The total damage to all property aggregating \$4,400 or more based upon actual costs or reliable estimates.

The term "reportable accident" does not include:

An occurrence involving only boarding and alighting from a stationary motor vehicle; or

An occurrence involving only the loading or unloading of cargo; or

An occurrence in the course of farm-to-market agricultural transportation (as defined in 92 Ill. Adm. Code 390.5) by the motor carrier; or

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENT(S)

An occurrence in the course of the operation of a passenger car by a motor carrier and which is not transporting passengers for hire or hazardous materials of a type and quantity that requires the vehicle to be marked or placarded in accordance with 92 Ill. Adm. Code 177 (49 CFR 394.3, October 1, 1990).

(Source: Amended at 16 Ill. Reg. 5362, effective March 23, 1992)

ILLINOIS HOUSING DEVELOPMENT AUTHORITY

ILLINOIS HOUSING DEVELOPMENT AUTHORITY

NOTICE OF EMERGENCY AMENDMENTS

NOTICE OF EMERGENCY AMENDMENTS

1) Heading of Part: Low-Income Housing Tax Credit Allocation

2) Code Citation: 47 Ill. Adm. Code 350

3) Section Numbers: Emergency Action:

350.213 New Section

4) Statutory Authority: Section 7.19, 7.24(g) and 7.25 of the Illinois Housing Development Act (Ill. Rev. Stat. 1989, ch. 67 1/2, para. 307.19, 307.24(g) and 307.25.)

5) Effective Date of Rule: March 3, 1992

6) Date Filed in Agency's Principal Office: January 17, 1992

7) Reason for Emergency: The United States Government promulgated the Omnibus Reconciliation Act of 1989 (the "Act") to address the severe shortage of affordable, decent, safe and sanitary housing for low income persons. The Act provided for the establishment of procedures for projects which have been allocated low income housing tax credits. The effective date of this provision was January 1, 1992. The Department of Treasury, Internal Revenue Service, published proposed regulations on December 27, 1991 which establish the minimum monitoring requirements for such projects (the "Regulations"). However, state housing credit agencies are obligated to begin monitoring as of January 1, 1992. Consequently, to comply with the requirements of the Act and the Regulations, and because of the severe shortage of decent, safe and sanitary housing for low income families which threatens the public's interest, safety and welfare, this rule is being submitted on an emergency basis.

8) A Complete Description of the Subjects and Issues Involved: This rulemaking establishes the procedures for monitoring compliance with Federal law for projects which have been allocated housing tax credit dollars.

9) Are there any proposed rules to this Part pending? Yes; this same rule is simultaneously being proposed on a nonemergency basis.

10) Statement of Statewide Policy Objectives: The proposed amendment is intended to establish the procedures for monitoring compliance with Federal law for projects which have been allocated housing tax credit dollars.

11) Time, Place and Manner in which interested persons may comment on this proposed amendment: Interested parties may submit comments, data, views or arguments concerning this rulemaking in writing to: Diane

Corbett, 401 N. Michigan Ave., Suite 900, Chicago, Illinois 60611. The Authority will consider all written comments received at the above address within 45 days of the date of publication of this notice.

The full text of the emergency amendment begins on the next page:

ILLINOIS HOUSING DEVELOPMENT AUTHORITY

NOTICE OF EMERGENCY AMENDMENT

TITLE 47: HOUSING AND COMMUNITY DEVELOPMENT
CHAPTER II: ILLINOIS HOUSING DEVELOPMENT AUTHORITYPART 350
LOW-INCOME HOUSING TAX CREDIT ALLOCATION

SUBPART A: GENERAL RULES

Section
350.101 Purpose and Objectives
350.102 Definitions
350.103 Compliance with Federal Law
350.104 Severability

SUBPART B: LOW-INCOME HOUSING TAX CREDIT ALLOCATIONS

Section
350.201 Tax Credit Issuing Authority
350.202 Allocation Pursuant to Qualified Allocation Plan
350.203 Application Process
350.204 Notice of Application
350.205 Authority Review
350.206 Allocation Amount - Project Feasibility
350.207 Approval or Rejection
350.208 Extended Low-Income Housing Commitment
350.209 Project Certification
350.210 Housing Tax Credit Dollars Allocation
350.211 Reservation of Housing Tax Credit Dollars for Period Other Than Current Calendar Year
350.212 Revocation of Reservations
350.213 Compliance Monitoring
EMERGENCY

AUTHORITY: Sections 7.19, 7.24(g) and 7.25 of the Illinois Housing Development Act (Ill. Rev. Stat. 1989, ch. 67 1/2, pars. 307.19, 307.24(g) and 307.25).

SOURCE: Emergency rules adopted at 11 Ill. Reg. 6553, effective March 30, 1987, for a maximum of 150 days; emergency expired August 27, 1987; adopted at 11 Ill. Reg. 19271, effective November 17, 1987; amended at 13 Ill. Reg. 5947, effective April 18, 1989; Part repealed, new Part adopted by emergency action at 14 Ill. Reg. 5827, effective March 19, 1990, for a maximum of 150 days; emergency expired August 16, 1990; Part repealed, new Part adopted at 14 Ill. Reg. 14021, effective August 16, 1990; amended at 15 Ill. Reg. 17110, effective November 13, 1991; emergency amendment at 16 Ill. Reg. 5369, effective March 3, 1992 for a maximum of 150 days.

SUBPART B: LOW-INCOME HOUSING TAX CREDIT ALLOCATIONS

ILLINOIS HOUSING DEVELOPMENT AUTHORITY

NOTICE OF EMERGENCY AMENDMENT

Section 350.213 Compliance Monitoring
EMERGENCY

The Authority shall, pursuant to the Qualified Allocation Plan, monitor the Project for compliance with Section 42 of the Internal Revenue Code. If the Authority discovers that a Project which has received an allocation of housing tax credit dollars is not in compliance with Section 42 of the Internal Revenue Code, the Authority shall notify the Internal Revenue Service of that noncompliance. This compliance monitoring will be effective for all Projects regardless of the date of allocation. The Authority will charge the Sponsor an administrative fee not to exceed the greater of \$100 per year or six dollars per unit per year for administrative costs incurred by the Authority for implementation of the compliance monitoring system. This fee will be in addition to the fees referenced in Section 350.203(1) of this Part.

(Source: Emergency rule added at 16 Ill. Reg. 5369, effective March 3, 1992 for a maximum of 150 days).

JOINT COMMITTEE ON ADMINISTRATIVE RULES
STRATTON OFFICE BUILDINGROOM A-1
SPRINGFIELD, ILLINOIS
10:00 A.M.

APRIL 7, 1992

NOTICES: Due to Register submittal deadlines, the Agenda below is incomplete. Other items not contained in this published Agenda are likely to be considered by the Committee at its April meeting.

It is the policy of the Committee to allow only representatives of state agencies to testify orally on any rule under consideration at Committee hearings. If members of the public wish to express their views with respect to a proposed rule, they should submit written comments to the Office of the Joint Committee on Administrative Rules at the following address:

Joint Committee on Administrative Rules
509 South Sixth Street
Room 500
Springfield, Illinois 62701

AGENDA

I. Approval of March 3, 1992 Minutes

II. Review of Proposed Agency Rulemaking

Central Management Services

1. Pay Plan (80 Ill Adm Code 310)
 - First Notice Published: 16 Ill Reg 342 - 1/10/92
 - Expiration of Second Notice Period: 4/24/92

Children and Family Services

2. Licensing Standards for Day Care Homes (89 Ill Adm Code 406)
 - First Notice Published: 15 Ill Reg 14734 - 10/18/91
 - Expiration of Second Notice Period: 4/8/92

3. Licensing Standards for Group Day Care Homes (89 Ill Adm Code 408)
 - First Notice Published: 15 Ill Reg 14764 - 10/18/91
 - Expiration of Second Notice Period: 4/8/92

4. Licensing Standards for Day Care Centers (89 Ill Adm Code 407)
 - First Notice Published: 15 Ill Reg 14729 - 10/18/91
 - Expiration of Second Notice Period: 4/8/92

JOINT COMMITTEE ON ADMINISTRATIVE RULES

AGENDA

5. Relative Home Placement (89 Ill Adm Code 335)
 - First Notice Published: 15 Ill Reg 8415 - 6/7/91
 - Expiration of Second Notice Period: 4/24/92

Commerce Commission

6. Repeal of Approval of Citizens Utility Board Enclosures and Statements (83 Ill Adm Code 110)
 - First Notice Published: 15 Ill Reg 18018 - 12/20/91
 - Expiration of Second Notice Period: 4/8/92

Conservation

7. North Point Marina (17 Ill Adm Code 220)
 - First Notice Published: 15 Ill Reg 18050 - 12/20/91
 - Expiration of Second Notice Period: 4/9/92

Corrections

8. Commissaries (20 Ill Adm Code 210)
 - First Notice Published: 15 Ill Reg 17010 - 12/2/91
 - Expiration of Second Notice Period: 4/20/92

Elections

9. Practice and Procedure (26 Ill Adm Code 125)
 - First Notice Published: 15 Ill Reg 5943 - 4/26/91
 - Expiration of Second Notice Period: 4/20/92
10. The Campaign Financing Act (26 Ill Adm Code 100)
 - First Notice Published: 15 Ill Reg 5939 - 4/26/91
 - Expiration of Second Notice Period: 4/20/92

Health Care Cost Containment Council

11. Data Collection (77 Ill Adm Code 2510)
 - First Notice Published: 15 Ill Reg 17444 - 12/6/91
 - Expiration of Second Notice Period: 4/27/92

Labor

12. Health and Safety (56 Ill Adm Code 350)
 - First Notice Published: 16 Ill Reg 1 - 1/3/92
 - Expiration of Second Notice Period: 4/27/92

JOINT COMMITTEE ON ADMINISTRATIVE RULES

AGENDA

Lottery

13. Americans with Disabilities Act Grievance Procedure (4 Ill Adm Code 675)
 -First Notice Published: 16 Ill Reg 1779 - 1/31/92
 -Expiration of Second Notice Period: 5/6/92

Mental Health and Developmental Disabilities

14. Treatment and Habilitation Services (59 Ill Adm Code 112)
 -First Notice Published: 15 Ill Reg 15864 - 11/8/91
 -Expiration of Second Notice Period: 4/17/92

Motor Theft Prevention Council

15. Trust Fund Collection Rules (20 Ill Adm Code 1800)
 -First Notice Published: 16 Ill Reg 10 - 1/3/92
 -Expiration of Second Notice Period: 4/30/92

Pollution Control Board

16. Visible and Particulate Matter Emissions (35 Ill Adm Code 212)
 -First Notice Published: 15 Ill Reg 16564 - 11/15/91
 -Expiration of Second Notice Period: 4/20/92

17. Definitions and General Provisions (35 Ill Adm Code 211)
 -First Notice Published: 15 Ill Reg 15875 - 11/8/91
 -Expiration of Second Notice Period: 4/20/92

18. Visible and Particulate Matter Emissions (35 Ill Adm Code 212)
 -First Notice Published: 16 Ill Reg 41 - 1/3/92
 -Expiration of Second Notice Period: 4/30/92

19. Air Quality Standards (35 Ill Adm Code 243)
 -First Notice Published: 16 Ill Reg 16 - 1/3/92
 -Expiration of Second Notice Period: 4/30/92

20. Episodes (35 Ill Adm Code 244)
 -First Notice Published: 16 Ill Reg 22 - 1/3/92
 -Expiration of Second Notice Period: 4/30/92

Prairie State 2000 Authority

21. Individual Training Assistance Program (56 Ill Adm Code 5400)
 -First Notice Published: 16 Ill Reg 1490 - 1/24/92
 -Expiration of Second Notice: 4/27/92

JOINT COMMITTEE ON ADMINISTRATIVE RULES

AGENDA

Professional Regulation

22. Clinical Social Work and Social Work Practice Act (68 Ill Adm Code 1470)
 -First Notice Published: 15 Ill Reg 18348 - 12/27/91
 -Expiration of Second Notice Period: 4/8/92

Public Aid

23. Medical Payment (89 Ill Adm Code 140.539)
 -First Notice Published: 16 Ill Reg 472 - 1/10/92
 -Expiration of Second Notice Period: 4/22/92
24. Medical Payment (89 Ill Adm Code 140.560)
 -First Notice Published: 15 Ill Reg 5585 - 4/19/91
 -Expiration of Second Notice Period: 4/22/92

Racing Board

25. Racing Rules (11 Ill Adm Code 1318)
 -First Notice Published: 15 Ill Reg 15388 - 10/25/91
 -Expiration of Second Notice Period: 4/22/92

26. Regulations for Meetings (11 Ill Adm Code 1424)
 -First Notice Published: 16 Ill Reg 1266 - 1/17/92
 -Expiration of Second Notice Period: 4/23/92

27. Programs (11 Ill Adm Code 415)
 -First Notice Published: 16 Ill Reg 1263 - 1/17/92
 -Expiration of Second Notice Period: 7/23/92

Rehabilitation Services

28. Medical, Psychological, and Related Services (89 Ill Adm Code 587)
 -First Notice Published: 15 Ill Reg 18110 - 12/20/91
 -Expiration of Second Notice Period: 4/9/92

29. Appeals and Hearings (89 Ill Adm Code 510)
 -First Notice Published: 16 Ill Reg 69 - 1/3/92
 -Expiration of Second Notice Period: 4/22/92

JOINT COMMITTEE ON ADMINISTRATIVE RULES

AGENDA

Revenue

30. Home Rule Municipal Use Tax Imposed by Municipalities Having 2,000,000 or More Inhabitants (86 Ill Adm Code 295)
-First Notice Published: 15 Ill Reg 18506 - 12/27/91
-Expiration of Second Notice Period: 4/20/92

Secretary of State

31. Public Building Construction (71 Ill Adm Code 2000)
-First Notice Published: 16 Ill Reg 1511 - 1/24/92
-Expiration of Second Notice Period: 5/6/92

State Police

32. Firearm Transfer Inquiry Program (20 Ill Adm Code 1235)
-First Notice Published: 15 Ill Reg 17566 - 12/6/91
-Expiration of Second Notice Period: 4/10/92

Student Assistance Commission

33. Minority Teachers of Illinois Scholarship Aid Program (23 Ill Adm Code 2763)
-First Notice Published: 15 Ill Reg 18129 - 12/20/91
-Expiration of Second Notice Period: 4/13/92

34. College Savings Bond Bonus Incentive Grant Program (BIG) (23 Ill Adm Code 2771)
-First Notice Published: 15 Ill Reg 18114 - 12/20/91
-Expiration of Second Notice Period: 4/13/92

35. Illinois Veteran Grant (IVG) Program (23 Ill Adm Code 2733)
-First Notice Published: 15 Ill Reg 18121 - 12/20/91
-Expiration of Second Notice Period: 4/13/92

Veterans' Affairs

36. MIA/POW Scholarship (95 Ill Adm Code 116)
-First Notice Published: 16 Ill Reg 558 - 1/10/92
-Expiration of Second Notice Period: 4/27/92
37. Persian Gulf Conflict Veterans Act (95 Ill Adm Code 121)
-First Notice Published: 16 Ill Reg 561 - 1/10/92
-Expiration of Second Notice Period: 4/27/92

III. Certification of No Objection to Proposed Rulemaking

JOINT COMMITTEE ON ADMINISTRATIVE RULES

AGENDA

IV. Review of Emergency Budget Act Rulemakings

Aging

38. Community Care Program (89 Ill Adm Code 240) (EBA)
-Notice Published: 16 Ill Reg 4069 - 3/13/92

V. Review of Emergency and Peremptory Rulemakings

Abandoned Mined Lands Reclamation Council

39. Abandoned Mined Lands Reclamation Council (62 Ill Adm Code 2501) (Emergency)
-Notice Published: 16 Ill Reg 2897 - 2/21/92

Central Management Services

40. Pay Plan (80 Ill Adm Code 310) (Peremptory)
-Notice Published: 16 Ill Reg 5068 - 3/27/92

Corrections

41. Rights and Privileges (20 Ill Adm Code 525) (Emergency)
-Notice Published: 16 Ill Reg 3583 - 3/6/92

Public Aid

42. General Assistance (89 Ill Adm Code 114) (Emergency)
-Notice Published: 16 Ill. Reg. 4540 - 3/20/92

Public Health

43. The Illinois Formulary for the Drug Product Selection Program (77 Ill Adm Code 790) (Emergency)
-Notice Published: 16 Ill Reg 4899 - 3/20/92

Savings and Loan Association

44. Residential Mortgage License Act of 1987 (38 Ill Adm Code 450) (Emergency)
-Notice Published: 16 Ill Reg 2915 - 2/21/92

JOINT COMMITTEE ON ADMINISTRATIVE RULES

AGENDA

VI. Agency Responses to Joint Committee Action

Public Aid

45. General Assistance (89 Ill Adm Code 114)
 -First Published: 10/18/91
 -Objection Date: 11/19/91
 -Response: Agreement

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

The following second notices were received by the Joint Committee on Administrative Rules during the period of March 18, 1992 through March 24, 1992, and have been scheduled for review by the Committee at its April 7, 1992 meeting. Other items not contained in this published list may also be considered by the Committee at its April meeting. Members of the public wishing to express their views with respect to a rule should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 509 South Sixth Street, Suite 500, Springfield, IL 62701.

<u>Second Notice Expires</u>	<u>Agency and Rule</u>	<u>Start of First Notice</u>	<u>JCAR Meeting</u>
5/6/92	Secretary of State, Public Building Construction (71 Ill Adm Code 2000)	1/24/92 16 Ill Reg 1511	4/7/92
5/6/92	Department of Lottery, Americans with Disabilities Act Grievance Procedure (4 Ill Adm Code 675, originally cited as 11 Ill Adm Code 1705)	1/31/92 16 Ill Reg 1779	4/7/92

PROCLAMATION

92-041
ARMY ROTC WEEK
(Revised)

Whereas, the United States Army Reserve Officers' Training Corps (ROTC) provides exceptional leadership instruction at 11 of Illinois' leading colleges and universities; and
Whereas, the ROTC develops selected men and women for positions of responsibility as officers in the active Army, Army National Guard, and Army Reserves; and
Whereas, the efficiency and vitality of our military greatly depend upon the high caliber of young officer accessions, more than half of which are obtained each year through the ROTC program; and

Whereas, many civilian and government leaders in our state and in our country have been ROTC members; and
Whereas, the ROTC is one of the most respected organizations in the nation;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim April 5-11, 1992, as ARMY ROTC WEEK in Illinois.

Issued by the Governor March 17, 1992.

Filed with the Secretary of State March 19, 1992.

92-101

BUSINESS OPPORTUNITY DAYS
(Revised)

Whereas, the Silver Anniversary Chicago Business Opportunity Fair will be held April 21-22, 1992; and

Whereas, James M. Kilts, president of Kraft USA, will serve as Silver Anniversary Committee Chairman for the fair; and

Whereas, during the fair, minority business suppliers and purchasing personnel from major buying organizations will have the opportunity to meet and exchange information about mutual buying and selling needs; and

Whereas, the Silver Anniversary Chicago Business Opportunity Fair helps further the year-round efforts of the Chicago Regional Purchasing Council, Inc., the sponsor of the event and an organization devoted to promoting minority businesses in Chicago; and

Whereas, on April 21, the Minority Business Subcouncil of the Chicago Regional Purchasing Council will hold its 14th annual awards presentation and reception to honor representatives from the public and private sectors for their contributions to minority suppliers' growth and development;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim April 21-22, 1992, as BUSINESS OPPORTUNITY DAYS in Illinois.

Issued by the Governor March 4, 1992.

Filed with the Secretary of State March 19, 1992.

92-117
APPRENTICESHIP WEEK

Whereas, apprenticeship training is a key component of developing skilled workers in various trades and crafts. It is part of a continuing program initiated by the government in 1937 and supported by industry and labor; and
Whereas, these supporters make cooperative efforts to encourage and improve apprenticeship training in Illinois in order to provide skilled journeymen in all trades; and

Whereas, the Biannual Illinois State Apprenticeship Conference will be held April 14-16 to promote the exchange of information and ideas to all crafts and trades;
Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim April 12-18, 1992, as APPRENTICESHIP WEEK in Illinois in recognition of our continuing need for qualified journeymen who provide excellent craftsmanship.

Issued by the Governor March 12, 1992.
Filed with the Secretary of State March 19, 1992.

92-118

PHYLLIS SCHLAFLY CONGRATULATED

Whereas, Phyllis Schlafly has worked tirelessly to protect and promote her beliefs among her children and her fellow citizens; and

Whereas, she has funneled her energies into making an impact on issues dealing with education, taxes, and family policy; and
Whereas, Phyllis devoted 25 years to raising her six children; and

Whereas, the American Mothers, Inc. of Illinois has named Phyllis the Illinois Mother of Year 1992;

Therefore, I, Jim Edgar, congratulate PHYLLIS SCHLAFLY on being named the Illinois Mother of Year 1992 by the American Mothers, Inc. of Illinois.

Issued by the Governor March 12, 1992.

Filed with the Secretary of State March 19, 1992.

92-119

CHILDREN AND HOSPITALS WEEK

Whereas, our children are our most valuable resource; and
Whereas, many children face illnesses that require treatment in Illinois' health care centers; and

Whereas, the future of children's health care hinges upon our commitment to providing children with the best health care possible; and

Whereas, Wyler Children's Hospital is celebrating Children and Hospitals Week March 15-21, 1992; and
 Whereas, Children and Hospitals Week will emphasize educational programming to increase public, parental, and professional knowledge of the need for family-centered, psychosocially sound, developmentally appropriate, and community-based care for children and families; and
 Whereas, the theme of Children and Hospitals Week is "Commitment to Caring," reflecting the united commitment of health professionals and parents for quality pediatric care;
 Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim March 15-21, 1992, as CHILDREN AND HOSPITALS WEEK in Illinois.

Issued by the Governor March 15, 1992.
 Filed with the Secretary of State March 19, 1992.

92-120 ALCOHOL AWARENESS MONTH

Whereas, alcohol is the number one drug problem in Illinois; and
 Whereas, one in four Illinoisans comes from a home in which one or more family members has an alcohol problem; and
 Whereas, while it is illegal in Illinois for persons under age 21 to consume alcohol, 43 percent of students in grades 7-12 have used alcohol in the past month, and 65 percent have tried alcohol at least once; and
 Whereas, Fetal Alcohol Syndrome is one of the top three known causes of birth defects and the only preventable cause among those three; and
 Whereas, alcoholism and related problems cost Illinois industry billions in lost productivity, absenteeism, on-the-job accidents, and insurance claims; and
 Whereas, more than half of criminal offenders convicted of violent crimes used alcohol just before the offense. Alcohol is often linked to suicides, domestic violence, accidents, and fires; and
 Whereas, Lieutenant Governor Bob Kustra is coordinating Illinois' efforts to combat the abuse of alcohol and other drugs. The Illinois Drug Education Alliance, the Alliance Against Intoxicated Motorists, Mothers Against Drunk Drivers, and the Illinois Alcoholism and Drug Dependence Association, and the Illinois Department of Alcoholism and Substance Abuse will be sponsoring public awareness activities and programs during April in conjunction with the national observance of Alcohol Awareness Month;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim April 1992 as ALCOHOL AWARENESS MONTH in Illinois and urge all citizens to support efforts to curb the abuse of alcohol.

Issued by the Governor March 16, 1992.

Filed with the Secretary of State March 19, 1992.

92-121 ALTRUSA INTERNATIONAL, INC. 75TH ANNIVERSARY DAY

Whereas, Altrusa International, Inc. was founded in 1917 in Nashville, Tennessee; and
 Whereas, Altrusa International is a worldwide organization of volunteers dedicated to community service. It has 17,000 members with more than 500 clubs in 16 countries; and
 Whereas, Altrusa members are business and professional leaders, classified by occupation, who unite their varied talents to help their fellow citizens; and
 Whereas, Altrusa stands by its motto--Patriotism, Efficiency, and Service; and
 Whereas, 1992 marks the 75th anniversary of Altrusa International, Incorporated;
 Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim April 11, 1992, as ALTRUSA INTERNATIONAL, INC. 75TH ANNIVERSARY DAY in Illinois.

Issued by the Governor March 16, 1992.
 Filed with the Secretary of State March 19, 1992.

92-122 AMERICAN POW RECOGNITION DAY

Whereas, many loyal and brave Americans who served in the wars of this nation were captured by the enemy or listed as missing in action; and
 Whereas, American prisoners of war have often suffered unconscionable treatment despite international codes forbidding such conduct, and many have died as a result of cruel and inhuman acts by their enemy captors; and
 Whereas, it is fitting that we recognize the sacrifices of American prisoners of war and those missing in action;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim April 9, 1992, as AMERICAN POW RECOGNITION DAY in Illinois and call upon citizens to observe the day with appropriate ceremonies and programs so that the memory of those brave Americans will not be forgotten.

Issued by the Governor March 16, 1992.
 Filed with the Secretary of State March 19, 1992.

92-123 AUCTIONEERS WEEK

Whereas, auctions of real and personal property have always been an influential part of marketing in the United States of America and in countries throughout the world; and

Whereas, the National Auctioneers Association (NAA) seeks to achieve new heights in professionalism for its members and excellent service for the buying public; and

Whereas, the NAA endeavors to continually preserve the American free enterprise;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim April 5-11, 1992, as AUCTIONEERS WEEK in Illinois and urge all citizens to recognize and honor the many noteworthy contributions that auctioneers are making to our society and economy.

Issued by the Governor March 16, 1992.

Filed with the Secretary of State March 19, 1992.

92-124

CERTIFIED NURSE ASSISTANT DAY

Whereas, certified nurse assistants working in long-term care facilities provide compassionate and concerned care for residents and their families; and

Whereas, certified nurse assistants provide nearly 90 percent of the direct nursing care given to residents in long-term care facilities; and

Whereas, certified nurse assistants have improved the quality of life for tens of thousands of frail and elderly citizens of Illinois; and

Whereas, certified nurse assistants help restore residents to their highest functioning level;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim June 4, 1992, as CERTIFIED NURSE ASSISTANT DAY in Illinois in recognition of this state's 152,683 certified nurse assistants.

Issued by the Governor March 16, 1992.

Filed with the Secretary of State March 19, 1992.

92-125

ILLINOIS COMMUNITY COLLEGE MONTH

Whereas, the 40 public community college districts in our state provide vocational, baccalaureate, and continuing education courses for more than one million Illinois citizens every year; and

Whereas, community colleges serve more than half of all students in public higher education; and

Whereas, community college students benefit from high quality education at a reasonable cost within commuting distance of their homes; and

Whereas, students entering the working world after attending a community college are more likely to remain in their home communities, benefiting the local economy and putting community colleges at the forefront of local development efforts in

retraining dislocated workers and in establishing new business ventures;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim April 1992 as ILLINOIS COMMUNITY COLLEGE MONTH in Illinois in honor of the 27th anniversary of our state's community college system.

Issued by the Governor March 16, 1992.

Filed with the Secretary of State March 19, 1992.

92-126

LAKE AND WATERSHED MANAGEMENT MONTH

Whereas, Illinois has nearly 3,000 lakes and 83,000 ponds that provide vital economic and social benefits, including water supply, recreation, flood control, property value enhancement, tourism, and fish and wildlife habitats; and

Whereas, more than 88 percent of the Illinois lakes assessed by the Illinois Environmental Protection Agency in 1992 exhibited impaired uses, primarily due to sedimentation, turbidity, excessive aquatic plant growth, degraded fisheries, and chemical contamination; and

Whereas, the quality and usability of Illinois lakes can most effectively be improved by implementation of comprehensive lake and watershed management strategies; and

Whereas, state soil conservation cost-share programs have enabled the completion of nearly 6,000 projects that have prevented 2.7 million tons of soil erosion from Illinois farmlands; and

Whereas, the State of Illinois enacted the Illinois Lake Management Program Act, fostering development of enhanced educational and technical assistance, monitoring and research, and financial assistance programs targeted at comprehensive lake management;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim April 1992 as LAKE AND WATERSHED MANAGEMENT MONTH in Illinois in recognition of the value of our water and soil resources, the need to protect and improve Illinois' lakes and ponds, and the excellent cooperation developed through Illinois' lake and watershed management programs.

Issued by the Governor March 16, 1992.

Filed with the Secretary of State March 19, 1992.

92-127

LONG-TERM CARE ADMINISTRATORS WEEK

Whereas, long-term care administrators must possess a high degree of leadership skills and be knowledgeable in a range of subjects to effectively manage long-term health care facilities and personnel; and

Whereas, long-term care administrators help ensure that the

facilities' residents receive expert care that focuses on each individual's need for dignity and encouragement; and Whereas, the American College of Health Care Administrators, along with corporate sponsors, Wander Guard, Inc. and "McKnight's Long-Term Care News," are honoring the leadership and expertise of long-term care administrators by observing National Long-Term Care Administrators Week March 23-29, 1992.

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim March 23-29, 1992 as LONG-TERM CARE ADMINISTRATORS WEEK in Illinois.

Issued by the Governor March 16, 1992.

Filed with the Secretary of State March 19, 1992.

92-128

MULTIPLE SCLEROSIS AWARENESS DAY

Whereas, multiple sclerosis (MS) is a chronic, often disabling neurological disease affecting more than a quarter of a million Americans; and

Whereas, every hour, an adult, typically between the ages of 20 and 40, is diagnosed as having multiple sclerosis; and

Whereas, multiple sclerosis symptoms vary widely and may include impaired vision, loss of balance and muscle coordination, slurred speech, tremors, stiffness, bladder and bowel problems, abnormal fatigue, and, in the most severe cases, paralysis; and

Whereas, there is no cure, prevention, or known cause of multiple sclerosis; and

Whereas, founded in 1946, the National Multiple Sclerosis Society is the only nonprofit health organization in the United States supporting worldwide research into the cause, prevention, cure, and treatment of multiple sclerosis; and

Whereas, the Chicago-Greater Illinois Chapter of the National Multiple Sclerosis Society is one of 140 chapters and branches across the country providing health-related services such as counseling, information and referral, equipment assistance, education, employment services, and advocacy to people with MS and their families; and

Whereas, on April 5, the National Multiple Sclerosis Society is sponsoring the Super Cities Walk for MS to raise funds for MS research. The event is expected to attract more than 9,000 walkers in Illinois and 300,000 walkers nationwide;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim April 5, 1992, as MULTIPLE SCLEROSIS AWARENESS DAY in Illinois.

Issued by the Governor March 16, 1992.

Filed with the Secretary of State March 19, 1992.

92-129

PROFESSIONAL HOME REMODELING MONTH

Whereas, professional remodeling is the largest part of the construction industry in Illinois; and

Whereas, thousands of Illinois citizens are gainfully employed in professional remodeling; and

Whereas, the Professional Remodelers Association of Illinois, a not-for-profit federally registered Illinois corporation, is a key element in Illinois' home remodeling industry; and

Whereas, since 1961, the Professional Remodelers Association has been providing homeowners with free services such as protection against substandard work by members of the industry; Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim April 1992 as PROFESSIONAL HOME REMODELING MONTH in Illinois in recognition of the contributions the home remodeling industry has made to our state.

Issued by the Governor March 16, 1992.

Filed with the Secretary of State March 19, 1992.

92-130

ROUTE 66 DAY

Whereas, on April 30, 1926, state highway authorities agreed on the number 66 for the new highway linking Chicago and Los Angeles; and

Whereas, on this date was born U.S. Route 66, the most famous and famed highway in the tapestry of American history; and

Whereas, Route 66 stretches across more than 2,400 miles, three time zones, and eight states -- Illinois, Missouri, Kansas, Oklahoma, Texas, New Mexico, Arizona, California; and

Whereas, for seven decades, Route 66, "The Mother Road," has been an avenue of dreams for millions of Americans; and

Whereas, the mystique of Route 66 has inspired books, television programs, and songs; and

Whereas, April 30, 1992, marks the 66th anniversary of Route 66;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim April 30, 1992, as ROUTE 66 DAY in Illinois.

Issued by the Governor March 16, 1992.

Filed with the Secretary of State March 19, 1992.

92-131

UNITED TO SERVE AMERICA DAY

Whereas, our nation confronts a myriad of problems ranging from moral decay to economic uncertainty; and

Whereas, our multiethnic population is a great source of strength that can be bolstered by a color-blind alliance that replaces prejudice with reconciliation and love; and

Whereas, United to Serve America was formed to discover and herald individuals and groups dedicated to reversing social problems; and

Whereas, on March 21, United to Serve America is holding its inaugural event to raise awareness of those individuals and groups who have developed successful models for winning the battle against social problems in our state and our nation;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim March 21, 1992, as UNITED TO SERVE AMERICA DAY in Illinois.

Issued by the Governor March 16, 1992.

Filed with the Secretary of State March 19, 1992.

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JCAR - Joint Committee on Administrative Rules

ACTION CODES

A - Adopted Rule	P - Proposed Rule
AR - Adopted Repealer	PF - Prohibited Filing Ordered by JCAR
C - Notice of Corrections	PP - Peremptory or Court ordered Rules
CC - Codification Changes	PR - Proposed Repealer
E - Emergency Rule	R - Refusal to meet JCAR objection
ER - Emergency Repealer	RC - Statement of Recommendation
M - Modification to meet JCAR objections	S - Suspension ordered by JCAR
O - JCAR Statement of Objections	W - Withdrawal to meet JCAR objections

EXAMPLE:

AGRICULTURE, DEPARTMENT OF

8 Ill. Adm. Code 285 ILL. Grain Insurance Act (P-18048/85; A-6818)

TITLE PART ACTION CODE PAGE NUMBER PREVIOUS VOLUME PAGE NUMBER ACTION CODE

ALL RULES ARE LISTED BY PART NUMBER AND HEADING ONLY. (FOR ACTION ON SPECIFIC SECTIONS, PLEASE REFER TO THE SECTIONS AFFECTED INDEX.) IF THERE ARE ANY QUESTIONS, PLEASE CONTACT THE ADMINISTRATIVE CODE DIVISION AT (217) 782-9786.

ABANDONED MINED LANDS RECLAMATION COUNCIL

62 Ill. Adm. Code 2501 Abandoned Mined Lands Reclamation (P-2719) (E-2897)

AGING, DEPARTMENT ON

89 Ill. Adm. Code 240 Community Care Program (E-17398/91; S-1744, W-2955; M-2943) (P-17007/91; PF-1744; M-2950) (E-2630) (E-2901) (E-4069) (P-4087; C-5083)

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TYPE OF RULEMAKING		ACTION CODES	
am	= amendment to existing Section	A	= Adopted rule
cc	= codification changes	C	= Correction
n	= new Section	CC	= Codification Changes
r	= repeal of existing Section	E	= Emergency rule
re	= reclassified	F	= Failure to Remedy
#	= renumbered	M	= Modification
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		PF	= Prohibited Filing
		PP	= Preliminary rule
		R	= Refusal to Modify or Withdraw
		RC	= ICAR Recommendation
		S	= Suspended rule
		W	= Withdrawal of Proposed rule

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246.700	(P-2314)	n	316.20	n	(P-2106)
246.710	(P-2314)	n	316.30	n	(P-2106)
246.720	(P-2314)	n	316.40	n	(P-2106)
246.730	(P-2314)	n	316.50	n	(P-2106)
246.740	(P-2314)	n	316.60	n	(P-2106)
246.750	(P-2314)	n	316.70	n	(P-2106)
246.760	(P-2314)	n	316.80	n	(P-2106)
246.770	(P-2314)	n	316.90	n	(P-2106)
246.780	(P-2314)	n	317.00	n	(P-2106)
246.790	(P-2314)	n	317.10	n	(P-2106)
246.800	(P-2314)	n	317.20	n	(P-2106)
246.810	(P-2314)	n	317.30	n	(P-2106)
246.820	(P-2314)	n	317.40	n	(P-2106)
246.830	(P-2314)	n	317.50	n	(P-2106)
246.840	(P-2314)	n	317.60	n	(P-2106)
246.850	(P-2314)	n	317.70	n	(P-2106)
246.860	(P-2314)	n	317.80	n	(P-2106)
246.870	(P-2314)	n	317.90	n	(P-2106)
246.880	(P-2314)	n	318.00	n	(P-2106)
246.890	(P-2314)	n	318.10	n	(P-2106)
246.900	(P-2314)	n	318.20	n	(P-2106)
246.910	(P-2314)	n	318.30	n	(P-2106)
246.920	(P-2314)	n	318.40	n	(P-2106)
246.930	(P-2314)	n	318.50	n	(P-2106)
246.940	(P-2314)	n	318.60	n	(P-2106)
246.950	(P-2314)	n	318.70	n	(P-2106)
246.960	(P-2314)	n	318.80	n	(P-2106)
246.970	(P-2314)	n	318.90	n	(P-2106)
246.980	(P-2314)	n	319.00	n	(P-2106)
246.990	(P-2314)	n	319.10	n	(P-2106)
247.000	(P-2314)	n	319.20	n	(P-2106)
247.010	(P-2314)	n	319.30	n	(P-2106)
247.020	(P-2314)	n	319.40	n	(P-2106)
247.030	(P-2314)	n	319.50	n	(P-2106)
247.040	(P-2314)	n	319.60	n	(P-2106)
247.050	(P-2314)	n	319.70	n	(P-2106)
247.060	(P-2314)	n	319.80	n	(P-2106)
247.070	(P-2314)	n	319.90	n	(P-2106)
247.080	(P-2314)	n	320.00	n	(P-2106)
247.090	(P-2314)	n	320.10	n	(P-2106)
247.100	(P-2314)	n	320.20	n	(P-2106)
247.110	(P-2314)	n	320.30	n	(P-2106)
247.120	(P-2314)	n	320.40	n	(P-2106)
247.130	(P-2314)	n	320.50	n	(P-2106)
247.140	(P-2314)	n	320.60	n	(P-2106)
247.150	(P-2314)	n	320.70	n	(P-2106)
247.160	(P-2314)	n	320.80	n	(P-2106)
247.170	(P-2314)	n	320.90	n	(P-2106)
247.180	(P-2314)	n	3219		

TITLE 8		TITLE 9		TITLE 10		TITLE 11		TITLE 12		TITLE 13		TITLE 14		TITLE 15		TITLE 16		TITLE 17		TITLE 18		TITLE 19		TITLE 20		TITLE 21		TITLE 22		TITLE 23		TITLE 24		TITLE 25		TITLE 26		TITLE 27		TITLE 28		TITLE 29		TITLE 30		TITLE 31		TITLE 32		TITLE 33		TITLE 34		TITLE 35		TITLE 36		TITLE 37		TITLE 38		TITLE 39		TITLE 40		TITLE 41		TITLE 42		TITLE 43		TITLE 44		TITLE 45		TITLE 46		TITLE 47		TITLE 48		TITLE 49		TITLE 50		TITLE 51		TITLE 52		TITLE 53		TITLE 54		TITLE 55		TITLE 56		TITLE 57		TITLE 58		TITLE 59		TITLE 60		TITLE 61		TITLE 62		TITLE 63		TITLE 64		TITLE 65		TITLE 66		TITLE 67		TITLE 68		TITLE 69		TITLE 70		TITLE 71		TITLE 72		TITLE 73		TITLE 74		TITLE 75		TITLE 76		TITLE 77		TITLE 78		TITLE 79		TITLE 80		TITLE 81		TITLE 82		TITLE 83		TITLE 84		TITLE 85		TITLE 86		TITLE 87		TITLE 88		TITLE 89		TITLE 90		TITLE 91		TITLE 92		TITLE 93		TITLE 94		TITLE 95		TITLE 96		TITLE 97		TITLE 98		TITLE 99		TITLE 100		TITLE 101		TITLE 102		TITLE 103		TITLE 104		TITLE 105		TITLE 106		TITLE 107		TITLE 108		TITLE 109		TITLE 110		TITLE 111		TITLE 112		TITLE 113		TITLE 114		TITLE 115		TITLE 116		TITLE 117		TITLE 118		TITLE 119		TITLE 120		TITLE 121		TITLE 122		TITLE 123		TITLE 124		TITLE 125		TITLE 126		TITLE 127		TITLE 128		TITLE 129		TITLE 130		TITLE 131		TITLE 132		TITLE 133		TITLE 134		TITLE 135		TITLE 136		TITLE 137		TITLE 138		TITLE 139		TITLE 140		TITLE 141		TITLE 142		TITLE 143		TITLE 144		TITLE 145		TITLE 146		TITLE 147		TITLE 148		TITLE 149		TITLE 150		TITLE 151		TITLE 152		TITLE 153		TITLE 154		TITLE 155		TITLE
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TITLE 17 (CONT'D)	
am	(P-15655/91; A-4520)
am	(P-15655/91; A-4520)
am	(P-15655/91; A-4520)
am	(P-15655/91; A-4520)
r	(P-2292)
r	(P-2439)
r	(P-2439)
r	(P-2439)
am	(P-2433)
r	(P-2444)
r	(P-2444)
am	(P-2444)
r	(P-2444)
am	(P-1266)
n	(P-1779)
n	(P-1779)
n	(P-1779)
n	(P-1779)
n	(P-1779)
n	(P-1779)
n	(P-1779)
n	(P-1779)
n	(P-5247)
am	(P-5247)
am	(P-5247)
am	(P-5247)
am	(P-5247)
am	(P-5247)
am	(P-5247)
n	(P-5247)
n	(P-7518/91; A-4058)
am	(P-89)
am	(P-89)
am	(P-89)
n	(P-89)
n	(P-89)
n	(P-89)
n	(P-89)
n	(P-89)
n	(P-89)
am	(P-10249/91; A-3464)
am	(P-18045/91; A-4835)
am	(P-18045/91; A-4835)
am	(P-18045/91; A-4835)
am	(P-18045/91; A-4835)
am	(P-18055/91; A-4839)
am	(P-18055/91; A-4839)
am	(P-18055/91; A-4839)
am	(P-18055/91; A-4839)
am	(P-18055/91; A-4839)
am	(P-18055/91; A-4839)
am	(P-15647/91; A-1826)
am	(P-14157/91; A-570)
am	(P-14157/91; A-570)
am	(P-14157/91; A-570)
am	(P-5157)
am	(P-5157)
am	(P-14833/91; A-1843)
am	(P-14833/91; A-1843)
n	(P-14833/91; A-1843)
am	(P-14833/91; A-1843)
am	(P-14833/91; A-1843)
am	(P-5143)
am	(P-5143)

3020.40	am	(P-14820/91; A-1833)
3020.50	am	(P-14820/91; A-1833)
3020.70	am	(P-14820/91; A-1833)
3020.80	am	(P-14820/91; A-1833)
3030.30	am	(P-14807/91; A-1816)
3030.50	am	(P-14807/91; A-1816)
3030.60	am	(P-14807/91; A-1816)
3035.40	am	(P-14783/91; A-1797)
3035.70	am	(P-14783/91; A-1797)
3035.80	am	(P-14783/91; A-1797)
TITLE 20		
405.20	am	(P-5176)
405.50	am	(P-5176)
405.60	am	(P-5176)
435.10	am	(P-1941)
435.12	n	(P-1941)
435.15	am	(P-1941)
435.20	am	(P-1941)
435.30	am	(P-1941)
435.40	am	(P-1941)
435.50	am	(P-1941)
435.60	am	(P-1941)
435.70	n	(P-1941)
504.802	am	(P-3715)
504.810	am	(P-3715)
504.830	am	(P-3715)
504.905	am	(P-3715)
504.910	am	(P-3715)
504.920	am	(P-3715)
504.930	am	(P-3715)
525.110	am	(E-3583) (P-5166)
525.130	am	(E-3583) (P-5166)
525.140	am	(E-3583) (P-5166)
525.150	am	(P-5166)
1205.10	n	(P-4803)
1205.20	n	(P-4803)
1205.30	n	(P-4803)
1205.40	n	(P-4803)
1205.50	n	(P-4803)
1225.10	n	(E-17785/91; O-1746)
1225.20	n	(E-17785/91; O-1746)
1225.30	n	(E-17785/91; O-1746)
1225.40	n	(E-17785/91; O-1746)
1225.50	n	(E-17785/91; O-1746)
1225.60	n	(E-17785/91; O-1746)
1225.70	n	(E-17785/91; O-1746)
1225.80	n	(E-17785/91; O-1746)
1225.90	n	(E-17785/91; O-1746)
1235.100	n	(E-17785/91; O-1746)
1235.110	n	(E-17785/91; O-1746)
1235.120	n	(E-17785/91; O-1746)
1235.130	n	(E-17785/91; O-1746)
1285.10	n	(P-3840)
1285.20	n	(P-3840)
1285.30	n	(P-3840)
1285.40	n	(P-3840)
1285.50	n	(P-3840)
1285.60	n	(P-3840)
1285.70	n	(P-3840)
1285.80	n	(P-3840)
1570.10	n	(P-2732)
1570.20	n	(P-2732)

TITLE 20 (CONT'D)		TITLE 23 (CONT'D)		TITLE 35		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23		TITLE 32		TITLE 23	
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615.101	(P-10303/91; O-17791/91; R-1702; A-1538)	n	615.425	(P-10303/91; O-17791/91; R-1702; A-1538)	n
615.102	(P-10303/91; O-17791/91; R-1702; A-1538)	n	615.441	(P-10303/91; O-17791/91; R-1702; A-1538)	n
615.103	(P-10303/91; O-17791/91; R-1702; A-1538)	n	615.442	(P-10303/91; O-17791/91; R-1702; A-1538)	n
615.104	(P-10303/91; O-17791/91; R-1702; A-1538)	n	615.443	(P-10303/91; O-17791/91; R-1702; A-1538)	n
615.105	(P-10303/91; O-17791/91; R-1702; A-1538)	n	615.444	(P-10303/91; O-17791/91; R-1702; A-1538)	n
615.201	(P-10303/91; O-17791/91; R-1702; A-1538)	n	615.445	(P-10303/91; O-17791/91; R-1702; A-1538)	n
615.202	(P-10303/91; O-17791/91; R-1702; A-1538)	n	615.446	(P-10303/91; O-17791/91; R-1702; A-1538)	n
615.203	(P-10303/91; O-17791/91; R-1702; A-1538)	n	615.447	(P-10303/91; O-17791/91; R-1702; A-1538)	n
615.204	(P-10303/91; O-17791/91; R-1702; A-1538)	n	615.461	(P-10303/91; O-17791/91; R-1702; A-1538)	n
615.205	(P-10303/91; O-17791/91; R-1702; A-1538)	n	615.462	(P-10303/91; O-17791/91; R-1702; A-1538)	n
615.206	(P-10303/91; O-17791/91; R-1702; A-1538)	n	615.463	(P-10303/91; O-17791/91; R-1702; A-1538)	n
615.207	(P-10303/91; O-17791/91; R-1702; A-1538)	n	615.464	(P-10303/91; O-17791/91; R-1702; A-1538)	n
615.208	(P-10303/91; O-17791/91; R-1702; A-1538)	n	615.501	(P-10303/91; O-17791/91; R-1702; A-1538)	n
615.209	(P-10303/91; O-17791/91; R-1702; A-1538)	n	615.502	(P-10303/91; O-17791/91; R-1702; A-1538)	n
615.210	(P-10303/91; O-17791/91; R-1702; A-1538)	n	615.601	(P-10303/91; O-17791/91; R-1702; A-1538)	n
615.211	(P-10303/91; O-17791/91; R-1702; A-1538)	n	615.602	(P-10303/91; O-17791/91; R-1702; A-1538)	n
615.301	(P-10303/91; O-17791/91; R-1702; A-1538)	n	615.603	(P-10303/91; O-17791/91; R-1702; A-1538)	n
615.302	(P-10303/91; O-17791/91; R-1702; A-1538)	n	615.604	(P-10303/91; O-17791/91; R-1702; A-1538)	n
615.303	(P-10303/91; O-17791/91; R-1702; A-1538)	n	615.621	(P-10303/91; O-17791/91; R-1702; A-1538)	n
615.304	(P-10303/91; O-17791/91; R-1702; A-1538)	n	615.622	(P-10303/91; O-17791/91; R-1702; A-1538)	n
615.305	(P-10303/91; O-17791/91; R-1702; A-1538)	n	615.623	(P-10303/91; O-17791/91; R-1702; A-1538)	n
615.306	(P-10303/91; O-17791/91; R-1702; A-1538)	n	615.624	(P-10303/91; O-17791/91; R-1702; A-1538)	n
615.307	(P-10303/91; O-17791/91; R-1702; A-1538)	n	615.701	(P-10303/91; O-17791/91; R-1702; A-1538)	n
615.401	(P-10303/91; O-17791/91; R-1702; A-1538)	n	615.702	(P-10303/91; O-17791/91; R-1702; A-1538)	n
615.402	(P-10303/91; O-17791/91; R-1702; A-1538)	n	615.703	(P-10303/91; O-17791/91; R-1702; A-1538)	n
615.403	(P-10303/91; O-17791/91; R-1702; A-1538)	n	615.704	(P-10303/91; O-17791/91; R-1702; A-1538)	n
615.404	(P-10303/91; O-17791/91; R-1702; A-1538)	n	615.705	(P-10303/91; O-17791/91; R-1702; A-1538)	n
615.421	(P-10303/91; O-17791/91; R-1702; A-1538)	n	615.721	(P-10303/91; O-17791/91; R-1702; A-1538)	n
615.422	(P-10303/91; O-17791/91; R-1702; A-1538)	n	615.722	(P-10303/91; O-17791/91; R-1702; A-1538)	n
615.423	(P-10303/91; O-17791/91; R-1702; A-1538)	n	615.723	(P-10303/91; O-17791/91; R-1702; A-1538)	n

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TITLE 56 (CONTD)		TITLE 62		TITLE 62	
350.300	n	(P-3260)	119.260	ann	
350.310	n	(P-3260)	120.70	ann	
350.400	n	(P-4645)	125.70	ann	
350.410	n	(P-4645)	130.110	n	
350.420	n	(P-4645)	132.10	n	
350.430	n	(P-4645)	132.15	n	
350.440	n	(P-4645)	132.20	n	
350.450	n	(P-4645)	132.25	n	
350.460	n	(P-4645)	132.30	n	
350.460	n	(P-4645)	132.35	n	
350.Ap. A	n	(P-4645)	132.40	n	
350.Ap. B	n	(P-4645)	132.45	n	
350.Ap. C	n	(P-4645)	132.50	n	
350.Ap. D	n	(P-4645)	132.55	n	
350.Ap. E	n	(P-4645)	132.60	n	
1700.10	n	(P-1469)	132.65	n	
1700.20	n	(P-1469)	132.70	n	
1700.30	n	(P-1469)	132.75	n	
1700.40	n	(P-1469)	132.80	n	
1700.50	n	(P-1469)	132.85	n	
1700.60	n	(P-1469)	132.90	n	
2625.55	ann	(P-5124)	132.95	n	
2630.82	ann	(P-8081/91; A-1524)	132.100	n	
2630.83	ann	(P-8081/91; A-1524)	132.105	n	
2720.1	ann	(P-14343/91; A-2556)	132.110	n	
2720.5	ann	(P-14343/91; A-2556)	132.115	n	
2720.7	n	(P-14343/91; A-2556)	132.120	n	
2720.108	ann	(P-14343/91; A-2556)	132.125	n	
2720.130	n	(P-14343/91; A-2556)	132.130	n	
2720.210	ann	(P-14343/91; A-2556)	132.135	n	
2720.215	ann	(P-14343/91; A-2556)	132.140	n	
2720.240	ann	(P-14343/91; A-2556)	132.145	n	
2720.315	ann	(P-14343/91; A-2556)	132.150	n	
2725.100	ann	(P-3734)	132.155	n	
2725.105	ann	(P-14014/91; A-2122)	132.160	n	
2725.115	ann	(P-14014/91; A-2122)	132.165	n	
2725.225	ann	(P-3734)	132.170	n	
2725.237	n	(P-3248)	132.Ap.A	n	
2732.203	n	(P-14023/91; A-3993)	132.Ap.B	n	
2732.220	n	(P-3248)	Tb. A	n	
2725.245	ann	(P-3734)	Tb. B	n	
2732.305	n	(P-785)	Tb. C	n	
2760.110	ann	(P-14023/91; A-3993)	135.30	ann	
2760.120	ann	(P-14023/91; A-3993)			
2760.125	ann	(P-14023/91; A-3993)	TITLE 62		
2760.130	ann	(P-14023/91; A-3993)	200.12	ann	
2760.145	ann	(P-14023/91; A-3993)	200.201	ann	
2760.150	ann	(P-14023/91; A-3993)	200.402	ann	
2765.45	ann	(P-14032/91; A-2131)	200.500	ann	
2765.55	ann	(P-14032/91; A-2131)	200.600	ann	
2765.60	ann	(P-14032/91; A-2131)	200.603	ann	
2765.68	ann	(P-14032/91; A-2131)	200.604	ann	
2770.110	ann	(P-13257/91; A-118)	200.606	ann	
5400.110	ann	(P-1490) (E-1693)	200.Ap. B	n	
5400.210	ann	(P-1490) (E-1693)	220.190	ann	
5400.310	ann	(P-1490) (E-1693)	240.10	ann	
			240.500	n	
			240.510	r	
	n	(P-14363/91; A-2137)	240.510	n	
	ann	(E-14663/91)	240.520	r	
103.90	ann	(E-2643)	240.520	n	
115.300	ann	(P-18334/91)	240.530	r	
115.320	ann	(E-2676)	240.530	ann	
TITLE 59		TITLE 59		TITLE 59	
101.100	n	(P-14363/91; A-2137)	240.510	n	
		(E-14663/91)	240.520	r	
103.90	ann	(E-2643)	240.520	n	
115.300	ann	(P-18334/91)	240.530	r	
115.320	ann	(E-2676)	240.530	ann	

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1340.20 (P-11369/91; A-3175) am
1340.30 (P-11369/91; A-3175) am
1340.40 (P-11369/91; A-3175) am
1340.50 (P-11369/91; A-3175) am
1340.55 (P-11369/91; A-3175) am
1340.60 (P-11369/91; A-3175) am
1340.65 (P-11369/91; A-3175) am
1340.66 (P-11369/91; A-3175) n
1340.70 (P-11369/91; A-3175) am
1450.175 (P-14375/91; A-3204) n

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110.30 (P-3689) n
110.40 (P-3689) n
110.50 (P-3689) n
110.60 (P-3689) n
110.70 (P-3689) n
2000.45 (P-1511) am
2000.100 (P-1511) am
2000.210 (P-1511) am
2000.245 (P-1511) am
2000.250 (P-1511) am
2000.320 (P-1511) am
2000.340 (P-1511) am
2000.410 (P-1511) am
2000.430 (P-1511) am
2000.500 (P-1511) am
2000.520 (P-1511) am
2000.540 (P-1511) am
2300.10 (P-2310) n
2300.30 (P-2310) n
2300.50 (P-2310) n
2300.70 (P-2310) n

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750.50 (P-15035/91; A-203) am
750.50 (P-15035/91; A-203) n

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205.620 (P-3426) am
250.2720 (P-2016) n
300.110 (P-2034) am
300.120 (P-4367/91; A-681) am
300.140 (P-2034) am
300.150 (P-2034) am
300.330 (P-4367/91; A-681) am
308.620 (P-2034) am
300.630 (P-2034) am
300.1010 (P-2034) am
300.1220 (P-2034) am
300.1240 (P-2034) am
300.2070 (P-2034) am
300.3060 (P-2034) am
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790.2097 (P-4782) (E-4899) am
790.2100 (P-4782) (E-4899) am
790.2140 (P-4782) (E-4899) am
790.2155 (P-4782) (E-4899) am
790.2180 (P-4782) (E-4899) am
790.2260 (P-4782) (E-4899) am
790.2380 (P-4782) (E-4899) am
790.2390 (P-4782) (E-4899) am
790.2460 (P-4782) (E-4899) am
790.2462 (P-4782) (E-4899) am
790.2470 (P-4782) (E-4899) am
790.2500 (P-4782) (E-4899) am
790.2510 (P-4782) (E-4899) am
790.2540 (P-4782) (E-4899) am
790.2580 (P-4782) (E-4899) am
790.2605 (P-4782) (E-4899) am
790.2613 (P-4782) (E-4899) am
790.2617 (P-4782) (E-4899) am
790.2618 (P-4782) (E-4899) am
790.2620 (P-4782) (E-4899) am
790.2661 (P-4782) (E-4899) am
790.2780 (P-4782) (E-4899) am
790.2900 (P-4782) (E-4899) am
790.2902 (P-4782) (E-4899) am
790.2904 (P-4782) (E-4899) am
790.2980 (P-4782) (E-4899) am
790.3020 (P-4782) (E-4899) am
790.3021 (P-4782) (E-4899) am
790.3029 (P-4782) (E-4899) am
790.3049 (P-4782) (E-4899) am
790.3054 (P-4782) (E-4899) am
790.3085 (P-4782) (E-4899) am
790.3100 (P-4782) (E-4899) am
790.3260 (P-4782) (E-4899) am
790.3300 (P-4782) (E-4899) am
790.3308 (P-4782) (E-4899) am
790.3315 (P-4782) (E-4899) am
790.3335 (P-4782) (E-4899) am
790.3340 (P-4782) (E-4899) am
790.3420 (P-4782) (E-4899) am
790.3437 (P-4782) (E-4899) am
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790.3480 (P-4782) (E-4899) n
790.3492 (P-4782) (E-4899) am
790.3495 (P-4782) (E-4899) n
790.3540 (P-4782) (E-4899) am
790.3620 (P-4782) (E-4899) am
790.3700 (P-4782) (E-4899) am
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790.3780 (P-4782) (E-4899) am
790.3860 (P-4782) (E-4899) am
790.3875 (P-4782) (E-4899) n
790.3907 (P-4782) (E-4899) am
790.3910 (P-4782) (E-4899) am
790.3940 (P-4782) (E-4899) am
790.3945 (P-4782) (E-4899) am
790.3980 (P-4782) (E-4899) am
790.3996 (P-4782) (E-4899) am
790.4012 (P-4782) (E-4899) am
790.4040 (P-4782) (E-4899) am
790.4060 (P-4782) (E-4899) am

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2030.1040	n	(P-9083/91; A-2457)	2056.61	am	(P-4567)
2030.1041	n	(P-9153/91; A-2530)	2056.65	#	(P-4567)
2030.1042	n	(P-9083/91; A-2457)	2056.70	am	(P-4567)
2030.1050	n	(P-9083/91; A-2457)	2056.75	am	(P-4567)
2030.1060	n	(P-9083/91; A-2457)	2056.210	am	(P-4567)
2030.1070	n	(P-9083/91; A-2457)	2056.215	am	(P-4567)
2030.1080	n	(P-9083/91; A-2457)	2056.301	am	(P-4567)
2030.1090	n	(P-9083/91; A-2457)	2056.301	am	(P-4567)
2030.1100	n	(P-9083/91; A-2457)	2056.303	#	(P-4567)
2030.1110	n	(P-9153/91; A-2530)	2056.303	am	(P-4567)
2030.1120	n	(P-9083/91; A-2457)	2056.305	am	(P-4567)
2030.1130	n	(P-9153/91; A-2530)	2056.310	am	(P-4567)
2030.1140	r	(P-9083/91; A-2457)	2056.315	am	(P-4567)
2030.1150	n	(P-9083/91; A-2457)	2056.320	am	(P-4567)
2030.1160	n	(P-9083/91; A-2457)	2056.325	am	(P-4567)
2030.1205	n	(P-9083/91; A-2457)	2056.330	am	(P-4567)
2030.1210	n	(P-9083/91; A-2457)	2056.405	am	(P-4567)
2030.1215	n	(P-9083/91; A-2457)	2056.410	am	(P-4567)
2030.1220	n	(P-9083/91; A-2457)	2056.415	am	(P-4567)
2030.1225	n	(P-9083/91; A-2457)	2056.420	am	(P-4567)
2030.1230	n	(P-9153/91; A-2530)	2056.500	am	(P-4567)
2030.1240	n	(P-9083/91; A-2457)	2056.505	am	(P-4567)
2030.1245	n	(P-9153/91; A-2530)	2056.510	am	(P-4567)
2030.1250	n	(P-9083/91; A-2457)	2056.525	am	(P-4567)
2030.1255	n	(P-9083/91; A-2457)	2056.600	am	(P-4567)
2030.1260	n	(P-9153/91; A-2530)	2056.601	n	(P-4567)
2030.1265	n	(P-9083/91; A-2457)	2056.603	n	(P-4567)
2030.1270	n	(P-9153/91; A-2530)	2056.605	am	(P-4567)
2030.1275	n	(P-9083/91; A-2457)	2056.607	am	(P-4567)
2030.1280	n	(P-9153/91; A-2530)	2056.610	am	(P-4567)
2030.1285	n	(P-9083/91; A-2457)	2056.615	am	(P-4567)
2030.1290	n	(P-9153/91; A-2530)	2056.620	n	(P-4567)
2030.1295	n	(P-9083/91; A-2457)	2056.625	n	(P-4567)
2030.1300	n	(P-9153/91; A-2530)	2056.630	n	(P-4567)
2030.1305	n	(P-9083/91; A-2457)	2056.635	n	(P-4567)
2030.1310	n	(P-9153/91; A-2530)	2056.640	n	(P-4567)
2030.1315	n	(P-9083/91; A-2457)	2056.645	n	(P-4567)
2030.1320	n	(P-9153/91; A-2530)	2056.650	n	(P-4567)
2030.1325	n	(P-9083/91; A-2457)	2056.655	n	(P-4567)
2030.1330	r	(P-9153/91; A-2530)	2056.660	n	(P-4567)
2030.1335	r	(P-9153/91; A-2530)	2056.705	am	(P-5104)
2030.1340	r	(P-9153/91; A-2530)	2090.20	am	(P-5104)
2030.1350	r	(P-9153/91; A-2530)	2090.40	am	(P-5104)
2031.10	r	(P-9149/91; A-2455)	2090.70	am	(P-5104)
2032.10	r	(P-9218/91; A-2533)	2090.90	am	(P-5104)
2032.15	r	(P-9218/91; A-2533)	2090.100	am	(P-5104)
2032.20	r	(P-9218/91; A-2533)			
2032.25	r	(P-9218/91; A-2533)			
2032.30	r	(P-9218/91; A-2533)			
2032.35	r	(P-9218/91; A-2533)	150.410	am	(P-4360)
2032.40	r	(P-9218/91; A-2533)	150.420	am	(P-4360)
2032.45	r	(P-9218/91; A-2533)	150.430	am	(P-4360)
2032.50	r	(P-9218/91; A-2533)	302.80	am	(P-336)
2032.55	r	(P-9218/91; A-2533)	303.102	am	(P-327)
2032.60	r	(P-9218/91; A-2533)	303.115	n	(P-327)
2032.65	r	(P-9218/91; A-2533)	303.125	am	(P-327)
2032.70	r	(P-9218/91; A-2533)	303.175	n	(P-327)
2032.75	r	(P-9218/91; A-2533)	303.290	am	(P-327)
2032.80	r	(P-9218/91; A-2533)	303.385	n	(P-327)
2032.85	r	(P-9218/91; A-2533)	304.51	n	(P-334)
2032.90	r	(P-9218/91; A-2533)	310.100	am	(P-342) (E-711)
2032.95	r	(P-9218/91; A-2533)	310.110	am	(P-12051/91; A-3450)
2033.00	r	(P-9218/91; A-2533)	310.130	am	(P-12051/91; A-3450)
2033.05	r	(P-9218/91; A-2533)	310.230	am	(P-342)
2033.10	r	(P-9218/91; A-2533)			
2033.15	r	(P-9218/91; A-2533)			
2033.20	r	(P-9218/91; A-2533)			
2033.25	r	(P-9218/91; A-2533)			
2033.30	r	(P-9218/91; A-2533)			
2033.35	r	(P-9218/91; A-2533)			
2033.40	r	(P-9218/91; A-2533)			
2033.45	r	(P-9218/91; A-2533)			
2033.50	r	(P-9218/91; A-2533)			
2033.55	r	(P-9218/91; A-2533)			
2033.60	r	(P-9218/91; A-2533)			
2033.65	r	(P-9218/91; A-2533)			
2033.70	r	(P-9218/91; A-2533)			
2033.75	r	(P-9218/91; A-2533)			
2033.80	r	(P-9218/91; A-2533)			
2033.85	r	(P-9218/91; A-2533)			
2033.90	r	(P-9218/91; A-2533)			
2033.95	r	(P-9218/91; A-2533)			
2034.00	r	(P-9218/91; A-2533)			
2034.05	r	(P-9218/91; A-2533)			
2034.10	r	(P-9218/91; A-2533)			
2034.15	r	(P-9218/91; A-2533)			
2034.20	r	(P-9218/91; A-2533)			
2034.25	r	(P-9218/91; A-2533)			
2034.30	r	(P-9218/91; A-2533)			
2034.35	r	(P-9218/91; A-2533)			
2034.40	r	(P-9218/91; A-2533)			
2034.45	r	(P-9218/91; A-2533)			
2034.50	r	(P-9218/91; A-2533)			
2034.55	r	(P-9218/91; A-2533)			
2034.60	r	(P-9218/91; A-2533)			
2034.65	r	(P-9218/91; A-2533)			
2034.70	r	(P-9218/91; A-2533)			
2034.75	r	(P-9218/91; A-2533)			
2034.80	r	(P-9218/91; A-2533)			
2034.85	r	(P-9218/91; A-2533)			
2034.90	r	(P-9218/91; A-2533)			
2034.95	r	(P-9218/91; A-2533)			
2035.00	r	(P-9218/91; A-2533)			
2035.05	r	(P-9218/91; A-2533)			
2035.10	r	(P-9218/91; A-2533)			
2035.15	r	(P-9218/91; A-2533)			
2035.20	r	(P-9218/91; A-2533)			
2035.25	r	(P-9218/91; A-2533)			
2035.30	r	(P-9218/91; A-2533)			
2035.35	r	(P-9218/91; A-2533)			
2035.40	r	(P-9218/91; A-2533)			
2035.45	r	(P-9218/91; A-2533)			
2035.50	r	(P-9218/91; A-2533)			
2035.55	r	(P-9218/91; A-2533)			
2035.60	r	(P-9218/91; A-2533)			

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310.280	am	(P-12051/91; A-3450)	3000.420	am	(P-3802)
310.290	am	(P-12051/91; A-3450)	3000.425	am	(P-3802)
310.300	am	(P-342) (E-711)	3000.610	am	(P-3802)
310.310	am	(P-342) (PP-5068)	3000.620	am	(P-3802)
310.320	am	(P-342)	3000.625	am	(P-3802)
310.330	am	(P-342)	3000.645	am	(P-3802)
310.340	am	(P-342)	3000.910	am	(P-3802)
310.350	am	(P-342)	3000.1010	am	(P-3802)
310.360	am	(P-342)	3000.1070	am	(P-3802)
310.370	am	(P-342)			
310.380	am	(P-342)			
310.390	am	(P-342)			
310.400	am	(P-342)			
310.410	am	(P-342)			
310.420	am	(P-342)			
310.430	am	(P-342)			
310.440	am	(P-342)			
310.450	am	(P-342)			
310.460	am	(P-342)			
310.470	am	(P-342)			
310.480	am	(P-342)			
310.490	am	(P-342)			
310.500	am	(P-342)			
310.510	am	(P-342)			
310.520	am	(P-342)			
310.530	am	(P-342)			
310.540	am	(P-342)			
310.550	am	(P-342)			
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310.590	am	(P-342)			
310.600	am	(P-342)			
310.610	am	(P-342)			
310.620	am	(P-342)			
310.630	am	(P-342)			
310.640	am	(P-342)			
310.650	am	(P-342)			
310.660	am	(P-342)			
310.670	am	(P-342)			
310.680	am	(P-342)			
310.690	am	(P-342)			
310.700	am	(P-342)			
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310.720	am	(P-342)			
310.730	am	(P-342)			
310.740	am	(P-342)			
310.750	am	(P-342)			
310.760	am	(P-342)			
310.770	am	(P-342)			
310.780	am	(P-342)			
310.790	am	(P-342)			
310.800	am	(P-342)			
310.810	am	(P-342)			
310.820	am	(P-342)			
310.830	am	(P-342)			
310.840	am	(P-342)			
310.850	am	(P-342)			
310.860	am	(P-342)			
310.870	am	(P-342)			
310.880	am	(P-342)			
310.890	am	(P-342)			
310.900	am	(P-342)			
310.910	am	(P-342)			
310.920	am	(P-342)			
310.930	am	(P-342)			
310.940	am	(P-342)			
310.950	am	(P-342)			
310.960	am	(P-342)			
310.970	am	(P-342)			
310.980	am	(P-342)			
310.990	am	(P-342)			
311.000	am	(P-342)			
311.010	am	(P-342)			
311.020	am	(P-342)			
311.030	am	(P-342)			
311.040	am	(P-342)			
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311.060	am	(P-342)			
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311.230	am	(P-342)			
311.240	am	(P-342)			
311.250	am	(P-342)			
311.260	am	(P-342)			
311.270	am	(P-342)			</

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114.400	ann	(P-15008/91; A-3512)	140.442	ann	(P-12171/91; A-4006)
114.401	ann	(P-15008/91; A-3512)	140.449	ann	(P-12171/91; A-4006)
114.420	ann	(P-15008/91; A-3512)	140.469	ann	(P-13685/91; A-3552)
116.500	ann	(P-16623/91; A-5350)	140.514	ann	(P-15559/1; A-4006)
116.520	ann	(P-16623/91; A-5350)	140.526	r	(P-472)
120.50	r	(P-12137/91; A-139)	140.527	r	(P-472)
120.50	r	(P-12137/91; A-139)	140.528	r	(P-472)
120.200	n	(P-12137/91; A-139)	140.529	r	(P-472)
120.208	r	(P-12137/91; A-139)	140.539	ann	(P-472)
120.210	r	(P-12137/91; A-139)	140.543	ann	(P-3045)
120.211	r	(P-12137/91; A-139)	140.561	ann	(P-7482/91; A-3552)
120.212	r	(P-12137/91; A-139)	140.565	ann	(P-1492)
120.215	r	(P-12137/91; A-139)	140.566	ann	(P-4708)
120.216	r	(P-12137/91; A-139)	140.579	ann	(P-3409)
120.217	r	(P-12137/91; A-139)	140.600	ann	(P-472)
120.218	r	(P-12137/91; A-139)	140.602	n	(P-472)
120.224	r	(P-12137/91; A-139)	140.614	n	(P-472)
120.245	r	(P-12137/91; A-139)	140.614	n	(P-472)
120.250	r	(P-12137/91; A-139)	140.646	ann	(P-6949/91; A-1877)
120.255	r	(P-12137/91; A-139)	144.300	ann	(P-7455/91; A-3497)
120.260	r	(P-12137/91; A-139)	144.325	ann	(P-7455/91; A-3497)
120.261	r	(P-12137/91; A-139)	147.25	ann	(P-4218)
120.262	r	(P-12137/91; A-139)	147.50	ann	(P-4218)
120.270	r	(P-12137/91; A-139)	147.50	ann	(P-4218)
120.271	r	(P-12137/91; A-139)	147.75	ann	(P-4218)
120.272	r	(P-12137/91; A-139)	147.Tb. A	ann	(P-7501/91; A-4035)
120.273	r	(P-12137/91; A-139)	147.Tb. B	ann	(P-7501/91; A-4035)
120.273	r	(P-12137/91; A-139)	147.Tb. D	ann	(P-4218)
120.275	r	(P-12137/91; A-139)	147.Tb. E	ann	(P-4218)
120.276	r	(P-12137/91; A-139)	147.Tb. G	ann	(P-4218)
120.280	r	(P-12137/91; A-139)	147.Tb. L	ann	(P-4218)
120.281	r	(P-12137/91; A-139)	148.140	ann	(P-1786)
120.282	r	(P-12137/91; A-139)	150.10	ann	(E-2258)
120.283	r	(P-12137/91; A-139)	150.20	n	(E-2258)
120.284	r	(P-12137/91; A-139)	150.30	n	(E-2258)
120.285	r	(P-12137/91; A-139)	150.40	n	(E-2258)
120.290	r	(P-12137/91; A-139)	150.50	n	(E-2258)
120.295	r	(P-12137/91; A-139)	150.60	n	(E-2258)
120.319	ann	(P-833/91; A-1862)	160.5	ann	(P-806/91; A-1852)
120.320	ann	(P-833/91; A-1862)	160.10	ann	(P-806/91; A-1852)
120.321	ann	(P-833/91; A-1862)	160.20	ann	(P-2406)
120.322	ann	(P-833/91; A-1862)	160.30	ann	(P-2406)
120.323	ann	(P-833/91; A-1862)	230.45	ann	(P-3605)
121.58	ann	(P-2420)	230.570	ann	(P-3605)
121.63	ann	(E-757)	240.400	ann	(E-2630)
121.72	ann	(P-2420)	240.415	ann	(E-2630)
121.73	ann	(P-2420)	240.430	ann	(P-17007/91; M-2930)
140.2	ann	(P-1717/91; A-174)			(E-17398/91; S-1744; W-2955; M-2943)
140.5	ann	(P-1717/91; A-174)			(E-17398/91; S-1744; W-2955; M-2943)
140.11	ann	(P-6949/91; A-3552)	240.435	ann	(P-17007/91; M-2930)
140.13	ann	(P-4708)			(E-17398/91; S-1744; W-2955; M-2943)
140.14	ann	(P-4708)			(E-17398/91; S-1744; W-2955; M-2943)
140.16	ann	(P-4708)	240.655	ann	(P-14335/91; E-4069)
140.19	ann	(P-4708)	240.720	ann	(P-17007/91; M-2930)
140.27	ann	(P-65) (E-300)			(E-17398/91; S-1744; W-2955; M-2943)
140.31	n	(P-4708)			(E-2901)
140.32	n	(P-4708)	240.725	ann	(P-17007/91; M-2930)
140.33	n	(P-4708)			(E-17398/91; S-1744; W-2955; M-2943)
140.40	ann	(P-12171/91; A-4006)			(E-2901)

TITLE_89_(CONT'D)		TITLE_92	
240.726	n	(E-2630)	900.343
240.800	am	(E-2901)	900.345
240.810	am	(E-2901)	900.348
240.825	am	(E-2901)	1300.110
240.855	am	(E-2901)	1300.120
240.1600	am	(E-2901)	1300.130
240.1605	am	(E-4087)	1300.200
240.1605	am	(E-4087)	1300.205
240.1610	am	(E-4087)	1300.205
240.1620	am	(E-4087)	1300.210
240.1625	am	(E-4087)	
240.1630	am	(E-4087)	44.30
240.1635	am	(E-4087)	62.30
240.1640	am	(E-4087)	171.6
240.1645	am	(E-4087)	171.6
240.1650	am	(E-4087)	171.1000
240.1655	am	(E-4087)	
240.1660	am	(E-4087)	172.2000
240.1661	n	(C-5083)	
240.1665	am	(E-4087)	172.2215
352.2	am	(E-4087)	
352.2	am	(E-4087)	173.3000
406.2	am	(E-4087)	
510.10	am	(E-4087)	177.2000
510.20	am	(E-4087)	
510.30	am	(E-4087)	178.336.1.1
510.40	am	(E-4087)	
510.70	am	(E-4087)	178.336.1.5
510.80	am	(E-4087)	
510.90	am	(E-4087)	178.2000
510.100	am	(E-4087)	
510.110	am	(E-4087)	179.2000
597.20	am	(E-4087)	
674.10	n	(E-2690)	180.2000
674.20	n	(E-2690)	391.2000
674.30	n	(E-2690)	440.420
674.40	n	(E-2690)	440.11. A
674.50	n	(E-2690)	440.11. B
683.100	n	(E-2688)	442.285
685.500	am	(E-2688)	442.11. A
685.500	am	(E-2688)	442.11. E
685.550	am	(E-2688)	530.10
714.30	am	(E-2688)	530.10
714.100	am	(E-2688)	530.20
714.110	am	(E-2688)	530.20
714.120	am	(E-2688)	530.30
714.130	am	(E-2688)	530.30
714.300	am	(E-2688)	530.30
714.310	am	(E-2688)	530.40
787.10	n	(E-2688)	530.40
787.20	n	(E-2688)	530.60
787.30	n	(E-2688)	530.100
787.40	n	(E-2688)	530.101
787.50	n	(E-2688)	530.102
845.10	am	(E-2688)	530.103
845.20	am	(E-2688)	530.104
845.30	am	(E-2688)	530.105
845.40	am	(E-2688)	530.106
900.310	am	(E-2688)	530.107
900.321	am	(E-2688)	530.108
900.322	am	(E-2688)	530.109
900.330	am	(E-2688)	530.110
900.331	am	(E-2688)	530.111
900.342	am	(E-2688)	530.111

TITLE 92 (CONT'D)	
530.112	r (P-3003/91; A-2256)
530.113	r (P-3003/91; A-2256)
530.114	r (P-3003/91; A-2256)
530.115	r (P-3003/91; A-2256)
530.116	r (P-3003/91; A-2256)
530.117	r (P-3003/91; A-2256)
530.118	r (P-3003/91; A-2256)
530.119	r (P-3003/91; A-2256)
530.120	n (P-2940/91; A-2193)
530.121	r (P-3003/91; A-2256)
530.122	r (P-3003/91; A-2256)
530.123	r (P-3003/91; A-2256)
530.130	n (P-3003/91; A-2193)
530.140	n (P-2940/91; A-2193)
530.150	n (P-2940/91; A-2193)
530.200	n (P-2940/91; A-2193)
530.201	r (P-3003/91; A-2256)
530.202	r (P-3003/91; A-2256)
530.203	r (P-3003/91; A-2256)
530.210	n (P-2940/91; A-2193)
530.220	n (P-2940/91; A-2193)
530.225	n (P-2940/91; A-2193)
530.230	n (P-2940/91; A-2193)
530.240	n (P-2940/91; A-2193)
530.250	n (P-2940/91; A-2193)
530.260	n (P-2940/91; A-2193)
530.270	n (P-2940/91; A-2193)
530.275	n (P-2940/91; A-2193)
530.280	n (P-2940/91; A-2193)
530.280	n (P-2940/91; A-2193)
530.290	n (P-2940/91; A-2193)
530.300	n (P-2940/91; A-2193)
530.301	r (P-3003/91; A-2256)
530.302	r (P-3003/91; A-2256)
530.303	r (P-3003/91; A-2256)
530.310	n (P-2940/91; A-2193)
530.320	n (P-2940/91; A-2193)
530.330	n (P-2940/91; A-2193)
530.400	n (P-2940/91; A-2193)
530.401	r (P-3003/91; A-2256)
530.402	r (P-3003/91; A-2256)
530.403	r (P-3003/91; A-2256)
530.410	n (P-2940/91; A-2193)
530.420	n (P-2940/91; A-2193)
530.430	n (P-2940/91; A-2193)
530.440	n (P-2940/91; A-2193)
530.450	n (P-2940/91; A-2193)
530.460	n (P-2940/91; A-2193)
530.470	n (P-2940/91; A-2193)
530.480	n (P-2940/91; A-2193)
530.500	n (P-2940/91; A-2193)
530.501	r (P-3003/91; A-2256)
530.502	r (P-3003/91; A-2256)
530.503	r (P-3003/91; A-2256)
530.510	n (P-2940/91; A-2193)
530.520	n (P-2940/91; A-2193)
530.530	n (P-2940/91; A-2193)
530.600	n (P-2940/91; A-2193)
530.601	r (P-3003/91; A-2256)
530.602	r (P-3003/91; A-2256)
530.603	r (P-3003/91; A-2256)
530.610	n (P-2940/91; A-2193)

TITLE 95 (CONT'D)	
530.700	n (P-2940/91; A-2193)
530.701	r (P-3003/91; A-2256)
530.702	r (P-3003/91; A-2256)
530.710	n (P-2940/91; A-2193)
530.800	n (P-2940/91; A-2193)
530.801	r (P-3003/91; A-2256)
530.802	r (P-3003/91; A-2256)
530.803	r (P-3003/91; A-2256)
530.804	r (P-3003/91; A-2256)
530.810	n (P-2940/91; A-2193)
530.820	n (P-2940/91; A-2193)
530.830	n (P-2940/91; A-2193)
530.840	n (P-2940/91; A-2193)
530.900	n (P-3003/91; A-2256)
530.901	r (P-3003/91; A-2256)
530.902	r (P-3003/91; A-2256)
530.903	r (P-3003/91; A-2256)
530.904	r (P-3003/91; A-2256)
530.905	r (P-3003/91; A-2256)
530.906	r (P-3003/91; A-2256)
530.907	r (P-3003/91; A-2256)
530.908	r (P-3003/91; A-2256)
530.909	r (P-3003/91; A-2256)
530.910	n (P-2940/91; A-2193)
708.70	am (P-8193/91; A-194)
787.10	n (P-13027/91; A-2882)
787.20	n (P-13027/91; A-2882)
787.30	n (P-13027/91; A-2882)
787.40	n (P-13027/91; A-2882)
787.50	n (P-13027/91; A-2882)
1010.420	am (P-5240)
1030.11	am (P-1271)
1030.30	am (P-2449)
1030.84	am (P-14198/91; A-2182; C-2957)
1070.20	am (P-15428/91; A-2172)
1070.40	am (P-15428/91; A-2172)
1309.10	n (P-3238)
1309.20	n (P-3238)
1309.30	n (P-3238)
1311.10	n (P-4195/91; W-2942)
1440.20	am (P-5139)

TITLE 95	
116.40	am (P-558)
121.20	n (P-561)
121.30	n (P-561)
121.40	n (P-561)
121.50	n (P-561)
121.60	n (P-561)
121.70	n (P-561)
121.80	n (P-561)
121.90	n (P-561)
121.100	n (P-561)
121.110	n (P-561)
121.120	n (P-561)
121.130	n (P-561)
121.140	n (P-561)
121.150	n (P-561)
121.160	n (P-561)
121.170	n (P-561)
121.180	n (P-561)
121.190	n (P-561)
121.200	n (P-561)

